



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 18, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 16th October 1886.

From the 13th November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 6th November, all Notifications and other matter intended for publication in the *Gazette*, should be addressed to the Publisher, 8, Hastings Street, Calcutta.

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Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the *Gazette*. The annual subscription for the two Parts is Rs 5 per annum, payable in advance. When sent by post, Rs 2-8 per annum additional will be charged for postage.

By an order of Government, all subscriptions must be paid *in advance*.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the date on which it is due.

Attention is invited to the Circular Memo. of the Government of India, Home Department, of February 1870, directing that all Notifications or other matter intended for insertion in the *Gazette of India* should be delivered at the Publisher's Office not later than 2 P.M. on Friday afternoon, and that matter sent after that hour must be certified to be extremely urgent in order to ensure its appearance in the next day's *Gazette*.

Matter intended for publication in the Supplement should reach the Press not later than Thursday.

E. J. DEAN,

Publisher, Gazette of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 16th December, 1886.

Notice is hereby given that the Transfer Books of the Bank will be closed from Monday, the 3rd, to Monday, the 17th proximo, both days inclusive.

By order of the Directors,

R. HARDIE,

Secretary & Treasurer.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 14th December, 1886.

No. 593.—Munshi Yusuf Sharif, Assistant Surveyor, 3rd grade, Survey of India, is granted privilege for three months, under Section 138, Chapter X of the Civil Leave Code, with effect from the 13th instant.

The 16th December, 1886.

No. 594.—Lieut.-Colonel E. H. Steel, S.C., Officiating Deputy Superintendent, 3rd grade, Survey of India, having proceeded on subsidiary leave on the afternoon of the 25th October, 1886, preparatory to availing himself of the furlough granted by Military Department Notification, No. 742, dated 12th November, 1886, the following temporary promotions are made with effect from the same date :—

Captain St. G. C. Gore, R.E., Deputy Superintendent, 4th grade *attached to the Afghan Boundary Commission*, to officiate as Deputy Superintendent, 3rd grade.

Captain J. R. Hobday, S.C., Assistant Superintendent, 1st grade (Officiating Deputy Superintendent, 4th grade), to officiate as Deputy Superintendent, 3rd grade.

Mr. G. B. Scott, Assistant Superintendent, 2nd grade (Officiating 1st grade), to officiate as Deputy Superintendent, 4th grade.

No. 595.—Mr. E. J. Jackson, Deputy Superintendent, 4th grade, Survey of India, having returned from furlough, is appointed to officiate as Deputy Superintendent, 3rd grade, with effect from the forenoon of the 23rd October, 1886, and the following reversions will take effect from the same date :—

Captain St. G. C. Gore, R.E., Officiating Deputy Superintendent, 3rd grade, *attached to the Afghan Boundary Commission*, to revert to his substantive appointment of Deputy Superintendent, 4th grade.

Captain J. R. Hobday, S.C., Officiating Deputy Superintendent, 3rd grade, to revert to his officiating appointment of Deputy Superintendent, 4th grade.

Mr. G. B. Scott, Officiating Deputy Superintendent, 4th grade, to revert to his officiating appointment of Assistant Superintendent, 1st grade.

No. 596.—With reference to Notification No. 1728 F, dated 12th October, 1886 of the Government of India in the Foreign Department, Major T. H. Holdich, R.E., officiating Deputy Superintendent, 2nd grade, and Captain the Hon'ble M. G. Talbot, R.E., Officiating Deputy Superintendent, 4th grade, Survey of India, having arrived in India from the frontier on the forenoon of the 1st November, 1886, the following reversions are made with effect from the same date :—

Major J. Hill, R.E., Officiating Deputy Superintendent, 2nd grade, to revert to his substantive appointment of Deputy Superintendent, 3rd grade.

Mr. E. J. Jackson, Officiating Deputy Superintendent, 3rd grade, to revert to his substantive appointment of Deputy Superintendent, 4th grade.

Lieutenant S. G. Burrard, R.E., Officiating Deputy Superintendent, 4th grade, to revert to his substantive appointment of Assistant Superintendent, 1st grade.

Mr. A. D'Souza, Officiating Deputy Superintendent, 4th grade, to revert to his officiating appointment of Assistant Superintendent, 1st grade.

No. 597.—Lieutenant-Colonel J. R. Wilmer, S.C., Officiating Deputy Superintendent, 3rd grade, Survey of India, having proceeded on subsidiary leave on the forenoon of the 1st November 1886, preparatory to his availing himself of the furlough granted by Military Department Notification No. 732, dated 1st November, 1886, the following temporary promotions are made with effect from the same date :—

Mr. E. J. Jackson, Deputy Superintendent, 4th grade, to officiate as Deputy Superintendent, 3rd grade.

Lieutenant S. G. Burrard, R.E., Assistant Superintendent, 1st grade, to officiate as Deputy Superintendent, 4th grade.

No. 598.—Mr. F. W. Kelly, Officiating Deputy Superintendent, 4th grade, Survey of India, having proceeded on subsidiary leave on the forenoon of the 1st November, 1886, preparatory to his availing himself of the furlough granted by Revenue and Agricultural Department Notification No. 963-32-41S., dated 15th December, 1886, the following temporary promotion is made with effect from the same date :—

Mr. A. D'Souza, Assistant Superintendent, 2nd grade (Officiating 1st grade), to officiate as Deputy Superintendent, 4th grade.

No. 599.—Captain the Hon'ble M. G. Talbot, R.E., Officiating Deputy Superintendent, 4th grade, Survey of India, having proceeded on subsidiary leave on the afternoon of the 17th November, 1886, preparatory to his availing himself of the furlough granted by Military Department Notification No. 590, dated 3rd September, 1886, the following temporary promotion is made with effect from the same date :—

Mr. G. B. Scott, Assistant Superintendent, 2nd grade (Officiating 1st grade), to officiate as Deputy Superintendent, 4th grade.

No. 600.—Major T. H. Holdich, R.E., Officiating Deputy Superintendent, 2nd grade, Survey of India, having made over charge of his duties on the afternoon of the 19th November, 1886, preparatory to his resuming the furlough as sanctioned by Revenue and Agricultural Department Notification, No. 904—115-7 S, dated 17th November, 1886, the following temporary promotions are made with effect from the same date :—

Major J. Hill, R.E., Deputy Superintendent, 3rd grade, to officiate as Deputy Superintendent, 2nd grade.

Captain St. G. C. Gore, R.E., Deputy Superintendent, 4th grade, *attached to the Afghan Boundary Commission*, to officiate as Deputy Superintendent, 3rd grade.

Captain J. R. Hobday, S.C., Assistant Superintendent, 1st grade (Officiating Deputy Superintendent, 4th grade), to officiate as Deputy Superintendent, 3rd grade.

Mr. J. Eccles, M.A., Assistant Superintendent, 2nd grade (Officiating 1st grade), to officiate as Deputy Superintendent, 4th grade.

No. 601.—With reference to Notification No. 1728F., dated 12th October 1886, of the Government of India in the Foreign Department, Captain St. G. C. Gore, R. E., Officiating Deputy Superintendent, 3rd grade, Survey of India, having arrived in India from the frontier on the afternoon of the 22nd November, 1886, the following reversions are made with effect from the same date:—

Captain J. R. Hobday, Officiating Deputy Superintendent, 3rd grade, to revert to his officiating appointment of Deputy Superintendent, 4th grade.

Mr. J. Eccles, M.A., Officiating Deputy Superintendent, 4th grade, to revert to his officiating appointment of Assistant Superintendent, 1st grade.

No. 602.—Major T. T. Carter, R.E., Deputy Superintendent, 1st grade, Survey of India, having returned from furlough on the afternoon of the 8th December, 1886, the following reversions will take effect from the same date:—

Lieutenant-Colonel F. Coddington, S.C., Officiating Deputy Superintendent, 1st grade, to revert to his substantive appointment of Deputy Superintendent, 2nd grade.

Major J. Hill, R.E., Officiating Deputy Superintendent, 2nd grade, to revert to his substantive appointment of Deputy Superintendent, 3rd grade.

Captain St. G. C. Gore, R. E., Officiating Deputy Superintendent, 3rd grade, to revert to his substantive appointment of Deputy Superintendent, 4th grade.

Mr. G. B. Scott, Officiating Deputy Superintendent, 4th grade, to revert to his officiating appointment of Assistant Superintendent, 1st grade.

No. 603.—Lieutenant-Colonel J. Waterhouse, S.C., Deputy Superintendent, 3rd grade, Survey of India, having returned from furlough on the forenoon of the 17th December, 1886, the following reversions will take effect from the same date:—

Mr. E. J. Jackson, Officiating Deputy Superintendent, 3rd grade, to revert to his substantive appointment of Deputy Superintendent, 4th grade.

Mr. A. D'Souza, Officiating Deputy Superintendent, 4th grade, to revert to his officiating appointment of Assistant Superintendent, 1st grade.

H. R. THUILLIER, *Lieut.-Col., R.E.,*
Offg. Surveyor General of India.

AGENT TO THE GOVERNOR GENERAL, BALUCHISTAN, P. W. D.

NOTIFICATIONS.

Quetta, the 6th December, 1886.

No. 116.—With reference to this Office Notification No. 114, dated 22nd November, 1886, Mr. W. H. King relieved Major A. C. Bigg-Wither of his duties as Superintending Engineer, Frontier Road Circle, and Joint Secretary to Agent, Governor-General, Beluchistan, Public Works Department, on the afternoon of 4th December, 1886.

No. 117.—With reference to this Office Notification No. 115, dated 22nd November, 1886, Mr. H. H. Green received charge of the 4th Division, Frontier Road, from Mr. W. H. King on the afternoon of the 30th November, 1886.

W. H. KING,

Offg. Joint Secy. to Agent to Govr. Genl.,
Baluchistan, P. W. Dept.

AGENT TO THE GOVERNOR GENERAL, RAJPUTANA.

NOTIFICATIONS.

Abu, the 7th December, 1886.

No. 3029 G.—Third Class Hospital Assistant Ewaz Ally returned from the leave granted him in this Office Notification No. 2720 G., dated the 30th October, 1886, and resumed charge of his duties on the forenoon of the 18th November, 1886, from 3rd Class Hospital Assistant Dost Mahomed Khan, who reverted to the Reserve List of Hospital Assistants for Native States.

No. 3030 G.—Third Class Hospital Assistant A. D. Burnis Sewaie, of the Reserve List of Hospital Assistants for Government employment, passed his English qualification examination on the 15th October, 1886, and is entitled to draw the higher rate of pay of his class for the English qualification.

The 9th December, 1886.

No. 3041 G.—With reference to this Office Notifications No. 629 G., dated 17th March, 1885, and No. 758 G., dated 4th April, 1885, it is hereby notified that Lieutenant-Colonel C. A. Baylay on return from furlough resumed charge of the Kotah Agency from Major W. H. C. Wyllie, C.I.E., on the forenoon of the 24th November, 1886.

By Order,

L. S. NEWMARCH,
for 1st Asst. Agent to the Govr. Genl.

RESIDENT IN MYSORE.

NOTIFICATION.

Bangalore, the 8th December, 1886.

No. 3243-876.—Major E. A. Fraser made over, and Major Donald Robertson assumed, charge of the Offices of the Inspector General of Registration, and Registrar of Companies, in the Civil and Military Station of Bangalore, on the forenoon of the 5th December, 1886.

By Order,

DONALD ROBERTSON, *Major,*
Assistant to the Resident.

Statement of the Affairs of the Bank of Bengal for the week ending 14th December, 1886.

LIABILITIES.				ASSETS.			
	₹	a.	p.		₹	a.	p.
Capital paid-up	2,00,00,000	0	0	Government Securities	88,10,401	10	0
Reserve Fund	43,56,664	15	0	Other authorized Investments	56,25,735	12	0
Public Deposits at Head Office	65,60,773	14	9	Loans on Government and other authorized Securities	66,66,884	5	2
Public Deposits at Branches	1,22,41,286	7	9	Accounts of Credit on Government and other authorized Securities	94,78,712	5	4
Other Deposits at Head Office and Branches	3,39,47,762	2	6	Bills discounted and purchased	1,96,74,376	7	5
Bank Post Bills, &c.	2,45,362	14	1	Balances with other Banks	7,12,819	0	8
Sundries	21,39,317	0	10	Bullion	2,710	1	6
				Dead Stock	11,24,543	7	9
				Stamps	8,124	5	3
				Sundries	6,96,436	8	1
					5,28,00,743	15	2
				Cash and Currency Notes at Head Office	91,98,811	2	8
				Cash and Currency Notes at Branches	1,74,91,612	5	1
					2,66,90,423	7	9
					1,74,91,612	5	1
					7,94,91,167	6	11
					7,94,91,167	6	11

RUPEES . 7,94,91,167 6 11

RUPEES . 7,94,91,167 6 11

BANK OF BENGAL,
Calcutta, 16th December, 1886.J. GORDON,
Chief Acctt. & Dy. Secy.By Order of the Directors,
R. HARDIE,
Secretary & Treasurer.Rate for Demand Loans 5 per cent.
Percentage 48.4.

Statement of Silver Balance in the Calcutta Mint for the week ending 15th December, 1886.

	₹	₹
Value of silver held in the Mint on account of the Currency Department on the evening of the 8th December, 1886.	21,09,324	
Value of Government silver in the Mint on the same date	4,03,946	26,03,270
ADD— Silver received by the Mint during the week on account of the Currency Department Ditto ditto Government	3,319 974	4,293
DEDUCT— New coin paid to Reserve Treasury during the week Petty items issued for miscellaneous purposes	2,30,000 1,012	26,07,563 2,31,012
Balance on the evening of the 15th December, 1886		23,76,551
The Balance comprises— Silver held on account of the Currency Department Ditto ditto Government There is in addition awaiting assay— Bullion belonging to Private Individuals Ditto ditto Government	18,27,406 5,49,145 40 ...	23,76,551 40

R. V. RIDDELL, Major, R.E.,
Master of the Mint.CALCUTTA MINT,
The 16th December, 1886.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and

payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned :—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

Regt. No.	No. of Note.	Value,	Name of Claimant.
		₹	
25	D 17—87564	50	Muhandar Lal, Gorakhpur.
			C. G. VANSITTART, Asst. Accountant Genl., In charge of Paper Currency Office.

ALLAHABAD,
The 15th December, 1886.

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regt. No.	No. of Notes.	Value.	Name of Claimant.
		₹	
30	E 2—82006*	500	Kundan Lal, Contractor, Public Works Department, Cantonment Amballa.
	" —82018*	500	
	" —82019*	500	
	" —82020*	500	
	" —82021*	500	
	" —82022*	500	
	" —82023*	500	
	" —82024*	500	
	" —82025*	500	
	" —82193†	500	
	" —87300	500	
	" —84262	500	
	O 71—35861	500	
	E. 2—86318‡	500	

* Belonging to Agency No. 3, Umballa.
† Belonging to Agency No. 2, Simla.
‡ Belonging to Agency No. 6, Peshawar.W. H. EGERTON,
for Deputy Commissioner of Currency.LAHORE,
The 11th December, 1886.

Madras Circle.**NOTES WHOLLY LOST OR DESTROYED.**

Regt. No.	No. of Notes.	Value.	Name of Claimant.
		Rs.	
34	B 93-39388	100	Postmaster General, Madras.
35	B 83-79942	50	D. Sathu Rao, Salem.

H. S. GROVES,
Asst. Accountant Genl.,
In charge Paper Currency.

FORT ST. GEORGE,
The 6th December, 1886.

MILITARY WORKS DEPARTMENT.**NOTIFICATION.**

Simla, the 8th December, 1886.

No. II.—Under the provisions of Section 41 of the Pay and Acting Allowance Code, Lieutenant J. M. Wade, R.E., Assistant Engineer, 2nd grade, is appointed to the charge of the current duties of the Office of the Executive Engineer, Darjeeling Division, Military Works, in addition to his own duties, with effect from the 21st September, 1886.

G. E. L. S. SANFORD, Colonel, R.E.,
Inspector General of Military Works.

DIRECTOR-GENERAL OF RAILWAYS.**NOTIFICATION.—ESTABLISHMENT.**

Calcutta, the 16th December, 1886.

No. II4.—Mr. J. A. A. Wallace, Assistant Engineer, 2nd grade, is granted by Her Majesty's Secretary of State for India an extension of leave on medical certificate for six months, in continuation of the leave granted him in Director General's Notification No. 39, dated 27th April, 1886.

H. F. HANCOCK, Major-Genl., R.E.,
Offg. Director-General of Railways.

TREASURE TROVE.**NOTICE.**

It is hereby notified under Section 5 of the Indian Treasure Trove Act (VI of 1878) that, about the 6th of June, 1886, the treasure described below, and valued at Rs 82-6, was found from a piece of the village site land of Moje Nanodra, Taluku Dholka, District Ahmedabad, and now in the occupation of Nathu Lala :—

	Value.
	Rs a. p.
20 Sicca Rupees transformed into a neck-lace	16 0 0
69½ Sicca Rupees in cash.	66 6 0
TOTAL	82 6 0

All persons claiming the said treasure, or part thereof, are hereby required to appear personally or by agent before the Mamlatdar of Dholka, Zilla Ahmedabad, on the 12th April, 1887, when

the matter will be enquired into and determined according to the provisions of the said Act.

G. REID,
Collector.

AHMEDABAD DISTRICT,
CAMP BAOLA,

The 11th December, 1886.

TREASURE TROVE.**NOTICE.**

It is hereby notified under Section 5 of the Indian Treasure Trove Act (VI of 1878) that on the 31st May, 1886, treasure consisting of the undermentioned copper idols with pedestals, valued at Rs 16, was found under ground in a wet field known as "Garikulum" situated close to the "Nattam" or village site in the Inam village of Samudrum, Kulitalai Taluq, Trichinopoly District :—

	Weight in Seers of 80 Tolas.	Approximate Value.
		Rs a. p.
1. One idol	25½ seers	16 0 0
2. Another idol	16½ seers	0 0 0

All persons claiming the said treasure are hereby required to appear personally or by agent before the Collector of Trichinopoly, at his office, on the 25th April, 1887, in view to the matter being enquired into and determined according to law.

W. AUSTIN,
Collector.

TRICHINOPOLY COLLECTOR'S OFFICE,
The 30th November, 1886.

POST OFFICE.**NOTIFICATIONS.**

Calcutta, the 10th December, 1886.

POSTAL CIRCLE, BOMBAY.

No. II729.—Mr. V. M. Cabral is appointed to officiate as Deputy Postmaster, Bombay.

Mr. J. C. Gardiner is appointed to officiate as Assistant Postmaster, Bombay.

Mr. C. A. Watts is appointed to officiate as Mail Officer of the 1st class.

P. SHERIDAN,

for Depy. Dir. Genl. of the Post Office of India.

The 12th December, 1886.

Revised Rules relating to Remittances by Telegraphic Money Orders.

1. With effect from 1st January 1887, the commission for the issue of inland telegraphic money orders will be charged at the following reduced rates :—

On sums not exceeding Rs 10	Rs a. p.
exceeding Rs 10, but not exceeding Rs 25	1 0
" " " 25, " " " 50	1 4
" " " 50, " " " 75	1 8
" " " 75, " " " 100	2 0
" " " 100, " " " 125	2 4
" " " 125, " " " 150	2 8
" " " 150, " " " 200	3 0
" " " 200, " " " 250	3 5
" " " 250, " " " 300	4 0
" " " 300, " " " 350	4 5
" " " 350, " " " 400	5 0
" " " 400, " " " 450	5 5
" " " 450, " " " 500	6 0
" " " 500, " " " 550	6 5
" " " 550, " " "	7 0

No additional charge will be levied for the telegram advising the remittance. The above rates will cover both postal and telegraph charges.

2. The maximum amount for which a single inland telegraphic money order can be issued, will be raised to Rs 600: the minimum amount will be Rs 1.

3. No telegraphic money order can include the fraction of a Rupee. Up to Rs 150 these orders will be available for sums in even Rupees: beyond that limit the order must be for sums which are multiples of Rs 10.

4. Under existing rules a private message can be added by the remitter to the telegram advising the remittance on payment of the prescribed separate charges. This will not be permissible under these revised rules.

5. The remitter will not be able in future to prepay a reply from the payee acknowledging the remittance; but he will obtain the ordinary money order acknowledgment by post.

Telegraphing amounts of foreign sterling money orders.

6. The amount of a foreign money order expressed in sterling can be telegraphed, as at present, to Bombay, whence the order will be communicated by post to the foreign country of payment. The limit of value for a single foreign money order expressed in sterling and telegraphed as above will be raised to £40, and no such money order may be for less than £1 or contain a fraction of £1. The rates of commission (including telegraph charges) will be as follows:—

	£ s.	d.
On sums not exceeding £ 5,	5	1 8
" exceeding £ 5, but not exceeding £ 10	10	2 0
" " " 10, " " 15	15	2 8
" " " 15, " " 20	20	3 0
" " " 20, " " 25	25	3 8
" " " 25, " " 30	30	4 0
" " " 30, " " 35	35	4 8
" " " 35, " " 40	40	5 0

P. SHERIDAN,

Offg. Depy. Dir. Genl. of the Post Office of India.

The 16th December, 1886.

No. 12042.—Mr. E. Hutton, Presidency Postmaster, Calcutta, resumed charge of his office on the 16th November, 1886, afternoon.

P. SHERIDAN,

for Dir. Genl. of the Post Office of India.

Unclaimed Letters held in the Calcutta General Post Office on 15th December, 1886.

Allen, C. & Co.	Chadbourne, B. W.	Ingram, T. D.
Bailey, G. L.	Elwell, E. G.	Watts n. James.
Benjamin, A. D.	Foley, C. M.	Williams & Co.
Carpenter, Miss A.	Grimault & Co.	

Letters marked "Care of Post Office."

Andrews, Mrs.	Dundas, P. A. G.	Mackenzie, Alex.
Annesley, Earl Rl. Hon.	Fraser, Bernard.	Magrath, P.
Barlow, E. H.	Fraser, C. A.	Muirhead, Mrs.
Barclay, J.	Frederick, H.	Muller, F.
Barnsdale, S.	Gayton, E. Hugh.	Newdegate, F. A.
Bismarck, V.	Gell, Mrs.	Nicholson, Miss.
Biggs, Mrs. R.	Greenway, E. C. F.	Ogilvie, W. A.
Bisset, Charles.	Greer, R. T.	Pollock, John.
Blaine, Mrs. R. S.	Gustore, Esq.	Prado, E.
Boorties, Mrs. L.	Hammond, Mrs. E.	Rochussen, S. E.
Bot, Esq.	Henderson, J. H.	Rode, Capt. J.
Boyd, Sidney.	Cleland.	Ruddach, J. S. M.
Bradley, Mrs. E. H.	Hill, Mrs. Amy.	Scott, J. D.
Braddon, Capt. C. J. S.	Hocking, S.	Selmes, F. W.
Bremmer, Esq.	Hudson, E.	Shaw, Miss M.
Bricecombe, Miss A. E.	Ilbert, Mrs. A.	Shuldham, J. E.
Brittain, J.	Isenberg, A.	St. Aubyn, G. A.
Budd, W. H.	Johnson, W.	Stevens, T.
Caws, Capt. A.	Keister, Dr. F. L.	Sugget, Mrs. Thomas.
Cheney, K.	Kennedy, W. S.	Sykes, J. H.
Christian, Philip.	Keomey, R. S.	Thibaud, F. T.
Clark, R.	Knight, Mr.	Thompson, R. D.
Clegg, Fred.	Landis, S.	Touzel, C. J. C.
Collins, G. G.	Leaf, W.	Travers, R. S.
Cowie, C. H.	Lehberg, J. F.	Underwood, C. A.
Curry, Miss Annie.	Lees, J. D.	Vyner, Mrs. R.
D'Silva, T. H.	Leyland, H. N.	Westwood, W. G.
Dease, Miss Julia.	Lodder, Mr.	W. M. & Co.

Registered Letters.

Fraser, C. A.	Rabin, Mr.	Schuhmacher, F.
Gayton, E. H.	Rochussen, E. S.	Shaw, Miss M.
McKie, J.		

Unclaimed Letters held in the Barrackpore Post Office on the 6th December, 1886.

Arrakel, M.	Ghose, U. N.	Mendawa, C. J. W.
Bryant, Sub-Cond. J.	Hart, C. H.	O'Donnell, C. J.
Catherston, C.	John, P. S.	Owen, M. S.
Connershe, R.	Kemball, Capt. G. V.	Secy., Lodge Sandeman.
Cooper, H. D.	Kundu, K. N.	Smith, Mrs. M. A.
Demout, R.	Larpet, F. deH.	Thomas, J.
Ghose, S. C.	Lyell, G.	Wray, R.

E. HUTTON,

Presidency Postmaster, Calcutta.

The 18th December, 1886.

SEA AND FOREIGN MAILS.

Mails for	Date of closing at Calcutta.	Route by which despatched.
1886.		
Egypt, Europe, America, Cape Colonies through United Kingdom	21st Dec.	Per P. & O. Str. from Bombay.
Ditto (Book Post and Pattern Packets)	20th "	Ditto.
Ceylon, Straits Settlements, Netherlands India, Labuan, Bangkok (Siam), Philippine Islands, China and Japan	21st "	Ditto.
Australia, New Zealand and Tasmania	21st "	Ditto.
Madras and Colombo	25th "	Per P. & O. Str. Mirzapore.
Straits and Hong-Kong	21st "	Per Str. Hongkong.
Rangoon and Moumein	22nd "	Per Str. Patna.
Akyab, Kyauk Phyoo, Sandoway and Rangoon	22nd "	Ditto Cocanada.
Port Blair via Rangoon	22nd "	Ditto Patna.

N.B.—On ordinary Mail days the letter-box will close at 7 P.M. precisely; after which hour letters, fully prepaid and bearing an extra postage-stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

On Foreign Mail day the letter-box will close at 8-30 P.M. and late letters will be received up to 9 P.M.

E. HUTTON,

Presidency Postmaster, Calcutta.

GOVERNMENT ENGINEERING COLLEGE, SEEBPORE.

An examination for admission to the Mechanical Apprentice Department will be held at the College on Monday and Tuesday, the 17th and 18th January, 1887.

Candidates must apply in writing to the Principal of the College, not later than the 10th January, 1887, for permission to appear at the examination, enclosing a certificate of good conduct and a certificate of age.

For admission to this department candidates must be between the ages of 15 and 17 years.

The subjects of examination are:—

Arithmetic	The whole.
Algebra	To simple equations.
Euclid	Books I and III.
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S. F. DOWNING,

Principal, Govt. Engineering College.

SEEBPORE,

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CALCUTTA, SATURDAY, DECEMBER 25, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 16th October 1886.

From the 13th November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 6th November, all Notifications and other matter intended for publication in the *Gazette*, should be addressed to the Publisher, 8, Hastings Street, Calcutta.

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Attention is invited to the Circular Memo. of the Government of India, Home Department, of February, 1870, directing that all Notifications or other matter intended for insertion in the *Gazette of India*

should be delivered at the Publisher's Office not later than 2 P.M. on Friday afternoon, and that matter sent after that hour must be certified to be extremely urgent in order to ensure its appearance in the next day's *Gazette*.

Matter intended for publication in the Supplement should reach the Press not later than Thursday.

E. J. DEAN,
Publisher, Gazette of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 16th December, 1886.

Notice is hereby given that the Transfer Books of the Bank will be closed from Monday, the 31d, to Monday, the 17th proximo, both days inclusive.

By order of the Directors,
R. HARDIE,
Secretary & Treasurer.

ORDERS BY THE VICE-CHANCELLOR AND SYNDICATE OF THE CALCUTTA UNIVERSITY.

NOTICE.

It is hereby notified for general information that a Convocation of the University of Calcutta for conferring degrees will be held at the Senate House, College Street, on Saturday, the 8th January, at 3 P.M.

Graduates of the University in Academic costume are admissible on presenting themselves at the Senate House at 2 P.M.

CHARLES H. TAWNEY,
SENATE HOUSE,
The 21st December, 1886.
Offg. Registrar.

Statement of Government Promissory Notes enfaced for payment of Interest in London, under deduction of amount re-transferred to India and outstanding in the Books of the Bank of Bengal on the 15th December, 1886.

PARTICULARS.	4 PER CENT. LOANS				4½ PER CENT. LOANS				TRANSFER LOAN OF 1879, SEVEN SHILLINGS PER CENT. PORTION.			GRAND TOTAL.		
	Of 1832-33.	Of 1835-36.	Of 1842-43.	Of 1854-55.	Transfer of 1865.	Reduced 4 per cent. loan of 1879.	Total.	Of 1879.	Of 1878.	TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.	Total.			
Balance of 30th November, 1886	13,80,587	26,99,000	2,24,59,100	91,06,900	2,54,23,200	2,25,62,700	8,36,31,487	43,18,600	74,89,000	10,04,12,900	11,22,11,500	1,33,800	32,200	19,60,63,087
<i>Add—</i>	...	...	26,500	6,000	3,500	...	36,000	...	...	10,000	10,000	...	...	46,000
Amount enfaced at Madras between 1st and 15th December, 1886	...	...	10,500	...	4,500	...	15,000	...	...	...	...	...	...	15,000
Amount enfaced at Bombay between 1st and 15th December, 1886	...	2,500	6,10,000	...	4,00,400	35,500	11,38,100	...	...	19,200	19,200	...	...	11,57,600
Amount enfaced at Calcutta between 1st and 15th December, 1886	54,100	27,01,500	2,31,06,100	91,12,900	2,59,21,600	2,25,98,200	8,48,20,887	43,18,600	74,89,000	10,04,42,100	11,22,40,700	1,33,800	32,200	19,72,81,687
<i>Deduct—</i>	...	21,700	3,47,400	6,400	3,11,700	34,300	7,31,634	47,900	79,700	7,99,100	9,17,700	...	...	16,49,334
Amount written off in the London Registers	10,134	26,79,800	2,27,58,700	91,06,500	2,56,09,900	2,25,63,900	8,40,89,253	42,70,700	74,00,300	9,96,52,000	11,13,23,000	1,33,800	32,200	19,56,32,353
Balance on 15th December, 1886	54,100	26,79,800	2,27,58,700	91,06,500	2,56,09,900	2,25,63,900	8,40,89,253	42,70,700	74,00,300	9,96,52,000	11,13,23,000	1,33,800	32,200	19,56,32,353

Note.—From 9th June, 1887, to 15th Oct., 1886, enfaced from India 5,33 lakhs, re-transferred from London 4,740 lakhs.

10th Oct., 1886, to 31st "	7 "
1st Nov. " to 15th Nov. "	5 "
16th " " to 30th " "	13 "
1st Dec. " to 15th Dec. "	16 "
5,38 lakhs.	4,784 lakhs.

Balance against India . 597 lakhs.

AGENT TO THE GOVERNOR GENERAL FOR CENTRAL INDIA, P. W. D.

List of Government Promissory Notes deposited through the Examiner, Public Works Accounts, Central India.

No.	Name of person or fund on whose behalf held.	AMOUNT OF INVESTMENT.			Name of officer to whom interest is sent.
		4 per cent. of 1865.	4 per cent. of 1842-43.	4 per cent. of	
175471 170491 C115960	Chaitram for Chumbal Toll Collections.	500	Interest sent to Examiner, Public Works Accounts, Central India. The Promissory Notes are in custody of the Comptroller General, Calcutta.
C115960	Gustadjee Cooverjee, Contractor.	...	500	...	
C115961	Gustadjee Cooverjee, Contractor.	...	500	...	
044780	Gustadjee Cooverjee, Contractor.	...	...	2,000
071184	Gopalchunder Banerjee, Contractor.	...	500	...	No interest drawn. The Promissory Notes are in custody of Treasury Officer, Indore.
174668	Gustadjee, Contractor.	500	...	...

FRED. R. HUTCHINSON,

*Examiner of Public Works Accounts,
Central India.*

P. W. ACCOUNTS OFFICE, CENTRAL INDIA,
INDORE,

The 6th December, 1886.

C. S. THOMASON, Colonel, R.E.,

Secy. to Agent to Govr. Genl. for Central India,

P. W. Dept.

Statement of the Affairs of the Bank of Bengal for the week ending 18th December, 1886.

LIABILITIES.				ASSETS.			
	R	a.	p.		R	a.	p.
Capital paid-up	2,00,00,000	0	0	Government Securities	92,88,647	4	0
Reserve Fund	43,56,664	15	0	Other authorized Investments	55,48,262	8	0
Public Deposits at Head Office	77,16,275	6	10	Loans on Government and other authorized Securities	64,85,286	4	3
Public Deposits at Branches	1,24,31,282	5	1	Accounts of Credit on Government and other authorized Securities	93,72,116	12	7
Other Deposits at Head Office and Branches	3,38,17,348	8	4	Bills discounted and purchased	2,08,01,781	14	2
Bank Post Bills, &c.	1,08,212	1	1	Balances with other Banks	6,66,856	1	8
Sundries	21,68,446	8	7	Bullion	2,696	7	6
				Dead Stock	11,23,309	8	0
				Stamps	7,555	8	3
				Sundries	6,96,438	2	7
					5,39,92,950	7	0
				Cash and Currency Notes at Head Office	86,80,888	11	8
				Cash and Currency Notes at Branches	1,80,14,390	10	3
					2,66,95,279	5	11
RUPRES	8,06,88,229	12	11	RUPRES	8,06,88,229	12	11

BANK OF BENGAL,
Calcutta, 21st December, 1886.

J. GORDON,
Chief Acctt. & Dy. Secy.

Rate for Demand Loans 5 per cent.
Percentage 47'3.

By Order of the Directors,
R. HARDIE,
Secretary & Treasurer.

CALCUTTA MINT.

NOTIFICATION.

List of Coins acquired under the Indian Treasure Trove Act and available for sale to Numismatists. (Home Department Resolution No. 46—1668-82, dated 9th October, 1884.)

Register Number.	DESCRIPTION.	Metal.	Value of each coin.			Number available for sale.	REMARKS.
			R	a.	p.		
22	Found in the Gujrat District (Punjab). Coins of Pathan Sikandar Lodi, A. H. 804—923 = A.D. 1488—1517, with imperfect dates.	Copper.	0	1	0	13	These coins will be available for sale up to and not later than the 17th January, 1887.
	23 Ditto with illegible dates	Do.	0	0	6	95	
56	Found in the Etawah District. Buddhist punched coins	Silver	0	3	0	61	Do. 24th June, 1887.
58	Found in the Ballia District. Old Hindu or Buddhist punched coins.	Do.	1	0	0	106	
62	Found in the Hissar District. Muhammad Shah, bad specimens	Do.	1	0	0	35	

R. V. RIDDELL, Major, R.E.,
Master of the Mint.

CALCUTTA MINT,
The 21st December, 1886.

ACCOUNTANT GENERAL, PUBLIC WORKS DEPARTMENT.

NOTIFICATION.—ESTABLISHMENT.

Fort William, the 20th December, 1886.

No. 6.—Mr. F. A. Newman, Accountant, 1st grade, and Honorary Assistant Examiner, is transferred from the Office of the Examiner of Public Works Accounts, Punjab, to that of the Examiner, Guaranteed Railway Accounts, Bombay.

A. G. BEGBIE, Major, R.E.,
Offg. Accountant General.

AGENT TO THE GOVERNOR GENERAL, RAJPUTANA.

NOTIFICATIONS.

Abu, the 14th December, 1886.

No. 3059 G.—With reference to Foreign Department Notification No. 2220 G., dated 1st December, 1886, Captain C. Herbert assumed charge of his duties as Assistant to the Agent to the Governor-General in Rajputana, on the forenoon of the 17th November, 1886.

The 15th December, 1886.

No. 3068 G.—First Class Hospital Assistant, No. 88, Mahomed Fakeer (1st) returned on the 30th November, 1886, from the leave granted him in this Office Notification No. 2575 G., dated the 13th October, 1886.

No. 3069 G.—Second Class Hospital Assistant, No. 354, Syud Sujjad Hossein, returned on the 29th November, 1886, from the leave granted him in this Office Notification No. 2576 G., dated the 13th October, 1886.

By Order,
E. G. COLVIN,
1st Asst. Agent to the Govr. Genl.

AGENT TO THE GOVERNOR GENERAL FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 20th December, 1886.

No. 4388.—In compliance with Foreign Department Notification No. 2254 G., dated the 3rd December, 1886, Lieutenant L. S. Newmarch received charge of the Office of 2nd Assistant Agent to the Governor-General in Central India on the afternoon of the 15th December, 1886.

By Order,
F. L. PETRE,
1st Asst. Agent to the Govr. Genl.
for Central India.

CHIEF COMMISSIONER OF AJMERE-MERWARA.

NOTIFICATION.

Abu, the 18th December, 1886.

No. 1402-327.—With reference to this Office Notification No. 1293-327, dated the 13th November, 1886, the Chief Commissioner of Ajmere-Merwara is pleased to make the following officiating appointments during the absence of Rae Bahadur Pandit Bhag Ram on one month's privilege leave, with effect from the afternoon of the 10th instant:—

1. Mr. H. E. J. Fitzpatrick, Extra Assistant Commissioner, to act as Judicial Assistant, vice Pandit Bhag Ram.
2. Munshi Balmokand Das, Tehsildar, sub. pro tem., of Ajmere, to act as Extra

- Assistant Commissioner, and Treasury Officer, Ajmere, *vice* Mr. Fitzpatrick.
3. Mir Abdul Aziz, Naib Tehsildar, to act as Tehsildar, Ajmere, *vice* Munshi Balmokand Das.

By Order,
E. G. COLVIN,
1st Asst. Agent to the Govr. Genl.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATION.—ESTABLISHMENT.

Calcutta, the 20th December, 1886.

NOTICE.—Mr. E. N. Horman, Class III of the Superior Revenue Establishment of State Railways, Store Department, is transferred, in the interest of the public service, from the Belgaum-Kistna State Railway to the North-Western Railway.

H. F. HANCOCK, Major-Genl., R.E.,
Offg. Director General of Railways.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is directed to communicate at once with the undersigned:—

Allahabad Circle.

NOTE WHOLLY LOST OR DESTROYED.

No.	No. of Note.	Value.	Name of Claimant.
D 20—	74009	100	Amarnath Sah, Nainital.

C. G. VANSITTART,

Asst. Accountant Genl.,
In charge of Paper Currency Office.

ALLAHABAD,

22nd December, 1886.

Lahore Circle.

NOTE WHOLLY LOST OR DESTROYED.

No.	No. of Note.	Value.	Name of Claimant.
E 26—	53935	100	Mr. F. L. Lopes, Engine-driver, North-Western Railway, Lahore.

W. H. EGERTON,

for Deputy Commissioner of Currency.

LAHORE,

22nd December, 1886.

Madras Circle.

NOTES WHOLLY LOST OR DESTROYED.

No.	No. of Note.	Value.	Name of Claimant.
B 81—	81364	50	M. Ramanujachari, Madras.
B 93—	28711	100	Jamshedjee Aderji, Bikaner.
"	30783	100	neer.

H. S. GROVES,

Asst. Accountant Genl.,
In charge Paper Currency.

ST. GEORGE,

22nd December, 1886.

Rangoon Circle.

NOTES WHOLLY LOST.

Regr. No.	No. of Notes.	Value.	Name of Claimant.
1886-87.		R	
W6	Q 8—01504	500	K. P. A. Subramania Chetty,
	" —01595	500	Money-lender, Henzada.

M. BHATTACHARRYA,

Asst. Comptroller, Paper Currency.

RANGOON,

The 14th December, 1886.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 12th December, 1886.

Revised Rules relating to Remittances by Telegraphic Money Orders.

1. With effect from 1st January 1887, the commission for the issue of inland telegraphic money orders will be charged at the following reduced rates:—

	R a.
On sums not exceeding R 10	1 0
" exceeding R 10, but not exceeding R 25	1 4
" " " 25, " " 50	1 8
" " " 50, " " 75	1 12
" " " 75, " " 100	2 0
" " " 100, " " 125	2 4
" " " 125, " " 150	2 8
" " " 150, " " 200	3 0
" " " 200, " " 250	3 8
" " " 250, " " 300	4 0
" " " 300, " " 350	4 8
" " " 350, " " 400	5 0
" " " 400, " " 450	5 8
" " " 450, " " 500	6 0
" " " 500, " " 550	6 8
" " " 550, " " 600	7 0

No additional charge will be levied for the telegram advising the remittance. The above rates will cover both postal and telegraph charges.

2. The maximum amount for which a single inland telegraphic money order can be issued, will be raised to R600: the minimum amount will be R1.

3. No telegraphic money order can include the fraction of a Rupee. Up to R150 these orders will be available for sums in even Rupees: beyond that limit the order must be for sums which are multiples of R10.

4. Under existing rules a private message can be added by the remitter to the telegram advising the remittance on payment of the prescribed separate charges. This will not be permissible under these revised rules.

5. The remitter will not be able in future to prepay a reply from the payee acknowledging the remittance; but he will obtain the ordinary money order acknowledgment by post.

Telegraphing amounts of foreign sterling money orders.

6. The amount of a foreign money order expressed in sterling can be telegraphed, as at present, to Bombay, whence the order will be communicated by post to the foreign country of payment. The limit of value for a single foreign money order expressed in sterling and telegraphed as above will be raised to £40, and no such money order may be for less than £1 or contain a fraction of £1. The rates of commission (including telegraph charges) will be as follows:—

	R a.
On sums not exceeding £ 5	1 8
" exceeding £ 5, but not exceeding £ 10	2 0
" " " 10, " " 15	2 8
" " " 15, " " 20	3 0
" " " 20, " " 25	3 8
" " " 25, " " 30	4 0
" " " 30, " " 35	4 8
" " " 35, " " 40	5 0

P. SHERIDAN,

Offg. Depy. Dir. Genl. of the Post Office of India.

The 25th December, 1886.

SEA AND FOREIGN MAILS.

Mails for	Date of closing at Calcutta.	Route by which despatched.
Egypt, Europe, America, Cape Colonies through United Kingdom	1886. 28th Dec.	Per P. & O. Str. from Bombay, Ditto.
Ditto (Book Post and Pattern Packets)	27th "	
Zanzibar, Mozambique and East Coast of Africa generally, Delagoa Bay, Natal and Cape Colonies by B. I. Steamers from Aden to Zanzibar and thence by the Castle Mail Packets	28th "	Ditto.
Madras and Colombo	25th "	Per P. & O. Str. Mysapore.
Madras, Pondicherry, Ceylon, Batavia, Singapore and China	31st "	Per French Str. Tiber.
Rangoon and Moulmein	29th "	Per Str. Palitana.
Akyah, Kyauk Phyo, Sandoway and Rangoon	29th "	Ditto Medina.

N.B.—On ordinary Mail days the letter-box will close at 7 P.M. precisely; after which hour letters, fully prepaid and bearing an extra postage-stamp of four (4) annas on each cover, will be received up to 9.30 P.M.

On Foreign Mail day the letter-box will close at 8.30 P.M. and late letters will be received up to 9 P.M.

E. HUTTON,

Presidency Postmaster, Calcutta.

GOVERNMENT ENGINEERING COLLEGE, SEEBPORE.

An examination for admission to the Mechanical Apprentice Department will be held at the College on Monday and Tuesday, the 17th and 18th January, 1887.

Candidates must apply in writing to the Principal of the College, not later than the 10th January, 1887, for permission to appear at the examination, enclosing a certificate of good conduct and a certificate of age.

For admission to this department candidates must be between the ages of 15 and 17 years.

The subjects of examination are :—

Arithmetic	The whole.
Algebra	To simple equations.
Euclid	Books I and III.
English Grammar and Composition.	

Every applicant before admission to the College will be examined by the College Surgeon as to his physical strength, fitness for manual labour, and eyesight. If this officer's report is unsatisfactory, the applicant will not be admitted.

There will be two vacancies on the Free list for Christian students in February next, and eleven vacancies on the Reduced-fee list.

For Natives there will be fifteen vacancies on the Reduced-fee list.

These vacancies will be filled up by the Board of Visitors.

Further particulars will be supplied on application to the Principal of the College.

S. F. DOWNING,

Principal, Govt. Engineering College.

SEEBPORE,

The 22nd November, 1886.

NOTICE.

TO ENGINEERS AND OTHERS.

The Principal of the Seebpur Engineering College has a list of unemployed men qualified as Assistant Engineers, Foreman Mechanical Overseers, Sub-Overseers, and Draftsmen. Persons requiring the services of any of the above should apply to the Principal.

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This preparation is an efficient substitute for quinine, and can be purchased by Government officers for public and charitable purposes, and by any one taking twenty pounds at a time, from the Superintendent, Botanic Garden, Calcutta, for cash only, at the following rates—per four-ounce tin, Rs. 4-8; per eight-ounce tin, Rs. 8-8; per pound tin, Rs. 16-8. The general public can be supplied by the Superintendent, Botanic Garden, for cash only, at the under-noted rates—per four-ounce tin, Rs. 5-8; per eight-ounce tin, Rs. 10-8; per pound tin, Rs. 20. This medicine is also sold by the principal European and Native druggists in Calcutta. Postage, eight annas per four and eight-ounce tins, and twelve annas per pound tin, in addition to the foregoing rates.

گورنمنٹ سنکونا فبري فيوج

یہ دوا کوئینائین کا خوب قائم مقام ہے اور کلکتہ کے ہوائی گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے ہر ایک عوام سرکاری واسطے سرکاری کام اور غیروا کے اور سوائے اوتنے جو کوئی ایک سٹاک بیس پونڈ خرید لینے سے بقیہ نقد حسب نوع ذیل خرید کرسکتے ہیں یعنی نرخ چار اونس کے تین کا چار روپیہ آٹھ اونس کے تین کا آٹھ اونس کے تین کا آٹھ روپیہ آٹھ اونس کے ایک پونڈ کے تین کا سولہ روپیہ آٹھ اونس

اور عوام الناس ہوائی گارڈن یعنی کمپنی باغ کے سپرنٹنڈنٹ صاحب سے بقیہ نقد حسب نوع ذیل خرید کرسکتے ہیں یعنی نرخ چار اونس کے تین کا پانچ روپیہ آٹھ اونس کے تین کا آٹھ روپیہ آٹھ اونس کے تین کا آٹھ روپیہ آٹھ اونس کے ایک پونڈ کے تین کا

یہ دوا کلکتہ کے بڑے بڑے دوائی اور ہسپتال خانوں میں بھی میسورے قیمت مذکورہ بالا کے محصول قاک چار اونس کے تین کا آٹھ اونس کے تین کا آٹھ روپیہ آٹھ اونس کے ایک پونڈ کے تین کا بارہ روپیہ

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Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

In the goods of the late Andrew Skeen, Esq., M.B., Surgeon-Major, Indian Medical Service (Bengal), formerly of Kasauli and Patiala, deceased.

Pursuant to Section 42 of Act XXVIII of 1866, the Trustee and Mortgagees Act, Section 319, Act X of 1865, and the provisions of the Indian Trusts Act, II of 1882—

Notice is hereby given to all persons having any claim against the estate of the late Andrew Skeen, late of Kasauli and Patiala, deceased, who died at Kasauli, in the Simla District of the Punjab, on or about the 10th day of June 1885, that they are required, within one month from this date, to send in their claims, with vouchers and other proofs attached, to the undersigned at Simla, to whom, as executors (by the last will and testament of the said deceased appointed), probate was granted by the Chief Court of the Punjab, on the 16th day of April 1886. Also, that at the expiration of that time they the said executors will proceed to distribute the assets belonging to the said estate in discharge of such lawful claims as they shall then know of, and they will not be liable for the assets so distributed to any person or persons of whose

claim, or claims they shall not have received notice at or before the time of such distribution. ALL persons indebted to, or holding any valuable securities or property belonging to, the said estate are also hereby requested to pay without delay the amount owing by them, or deliver the said securities, or property, to the undersigned, who are alone entitled to give valid receipts for the same.

C. R. MATTHEWS, *Colonel,*
Bengal Staff Corps.

GEO. THOMSON, *Surgeon-Major,*
Indian Medical Service, Bengal,
Executors to the Estate.

NOTICE.

The interest and responsibility of Mr. John Johnstone Jardine Keswick in our firm ceased on 30th April last.

JARDINE, SKINNER & CO.

CALCUTTA,
The 24th June 1886.



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Indian Medical Service, Bengal,
Executors to the Estate.

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JARDINE, SKINNER & CO.

CALCUTTA,
The 24th June 1886.

NOTICE.

In the matter of the Indian Companies Act of 1882 and in the matter of the Imperial Ice Company Limited.

By an order made by the High Court of Judicature at Fort William in Bengal in the above matter dated the 29th day of June 1886 on the petition of the Bengal Coal Company one of the creditors of the abovenamed Company. It was *inter alia* ordered that the abovenamed Company be wound up by the said Court under the provisions of the above Act and by the said order David Cowie of No. 4 Hastings Street in the Town of Calcutta was appointed the Official Liquidator of the said Company on his giving security as in the said order mentioned. Dated this 9th day of July 1886.

R. BELCHAMBERS,
Registrar.

GREGORY MOSES,
Petitioner's Attorneys.

NOTICE.

In the matter of the Indian Companies Act of 1882 and in the matter of the Imperial Ice Company Limited.

By an order made in the High Court of Judicature at Fort William in Bengal in the above matter dated the 29th day of June 1886 on the Petition of Baboo Ramkissen and Michael Raphael Shircore Trustees for the Debenture

Holders of the abovenamed Company. It was *inter alia* ordered that the said Ramkissen be appointed the Official Liquidator of the abovenamed Company in the place of David Cowie without security and without remuneration and it was also ordered that the said Ramkissen do on the 29th day of December next and on the 29th day of June 1887 and on the same days in each succeeding years file his accounts in the said High Court and it was further ordered that all monies to be received by the said Baboo Ramkissen be paid by him into the Bank of Bengal to the credit of the account of the Official Liquidator of the abovenamed Company within seven days after the receipt thereof and that the Registrar of this Court do countersign all cheques drawn by the said Official Liquidator and it was further ordered that the said Baboo Ramkissen be at liberty to carry out the Contract made with the Bengal Ice Manufacturing Company Limited and the Crystal Ice Supply Company Limited for the sale to them of the good will of the abovenamed Company upon the terms and in the manner mentioned and set forth in a petition of the said Baboo Ramkissen and Michael Raphael Shircore and in the Exhibit F thereunto annexed and marked with the letter F and it was further ordered that in case of difference of opinion in the prepara-

tion of Conveyances and other Deeds required for the completion of such sale as aforesaid the Registrar do settle the same. Dated this 9th day of July 1886.

B. BELCHAMBERS,
Registrar.

GREGORY MOSES,
Petitioner's Attorneys.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 22103, of the 4 per cent. of 1854-55, for Rs500, originally standing in the name of Parbutty Churn Mookerjee, deceased, and last endorsed to Hurimutty Mookerjee, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

PORESH NATH MOOKERJEE,
Gola, Zilla Nuddea.



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CALCUTTA, SATURDAY, JULY 17, 1886.

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NOTICE.

In the goods of the late Andrew Skeen, Esq., M.B., Surgeon-Major, Indian Medical Service (Bengal), formerly of Kasauli and Patiala, deceased.

Pursuant to Section 42 of Act XXVIII of 1866, the Trustee and Mortgagees Act, Section 319, Act X of 1865, and the provisions of the Indian Trusts Act, II of 1882—

Notice is hereby given to all persons having any claim against the estate of the late Andrew Skeen, late of Kasauli and Patiala, deceased, who died at Kasauli, in the Simla District of the Punjab, on or about the 10th day of June 1885, that they are required, within one month from this date, to send in their claims, with vouchers and other proofs attached, to the undersigned at Simla, to whom, as executors (by the last will and testament of the said deceased appointed), probate was granted by the Chief Court of the Punjab, on the 16th day of April 1886. Also, that at the expiration of that time they the said executors will proceed to distribute the assets belonging to the said estate in discharge of such lawful claims as they shall then know of, and they will not be liable for the assets so distributed to any person or persons of whose claim or claims they shall not have received notice at or before the time of such distribution. ALL persons indebted to, or holding any valuable securities or property belonging to, the said estate are also hereby requested to pay without delay the amount owing by them, or deliver the said securities, or property, to the undersigned, who are alone entitled to give valid receipts for the same.

C. R. MATTHEWS, Colonel,
Bengal Staff Corps.

GEO. THOMSON, Surgeon-Major,
*Indian Medical Service, Bengal,
Executors to the Estate.*

NOTICE.

The interest and responsibility of Mr. John Johnstone Jardine Keswick in our firm ceased on 30th April last.

JARDINE, SKINNER & Co.

CALCUTTA,
The 24th June 1886.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 22103, of the 4 per cent. of 1854-55, for Rs500, originally standing in the name of Parbutty Churn Mookerjee, deceased, and last endorsed to Hurimutty Mookerjee, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

PORESH NATH MOOKERJEE,
Coola, Zilla Nuddia.

Lost

The lower halves of Government Promissory Notes Nos. 205064 and 135234, of the 4 per cent. of 1865 and 1842-43, for Rs2,000 and Rs1,000, respectively, originally standing in the name of Essur Dass Benarsee Dass and Paras Dass, respectively, and last endorsed to Bhajan Lal, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BHAJAN LAL,
Anarki Gallee, Delhi.



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CALCUTTA, SATURDAY, JULY 24, 1886.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

On the 2nd of April last the lodging-house of Bykunt Nath Mookerjee, Pleader at Saifgunge, in the District of Purneah, together with all his properties, deeds and documents, including 4 per cent. Government Promissory Notes mentioned below, have been completely burnt and destroyed by fire:—

1. The Government Promissory Note No. 036975, of the 4 per cent. of 1854-55, dated 30th June 1854, for Rs. 3,000, originally standing in the name of Bykunt Nath Mookerjee, the proprietor, by whom it was never endorsed to any other person.
2. The Government Promissory Note No. 018438, of the 4 per cent. of 1854-55, dated 30th June 1854, for Rs. 1,000, originally standing in the name of Collector of 24-Pergunnahs, and last endorsed to Bykunt Nath Mookerjee, the proprietor, by whom it was never endorsed to any other person.
3. The Government Promissory Note No. 002134, of the 4 per cent. of 1832-33, dated 1st May 1832, for Rs. 500 sicca, originally standing in the name of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, the proprietors, by whom it was never endorsed to any other person.
4. The Government Promissory Note No. 017045, of the 4 per cent. of 1835-36, dated 31st March 1836, for Rs. 500, originally standing in the name of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, the proprietors, by whom it was never endorsed to any other person.

Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and applications are

about to be made for the issue of duplicates in favour of the proprietors.

BYKUNT NATH MOOKERJEE,
*Baree, District Jessore, Sub-Division Bangong,
at present residing at Saifgunge, District Purneah.*

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 22103, of the 4 per cent. of 1854-55, for Rs. 500, originally standing in the name of Parbutty Churn Mookerjee, deceased, and last endorsed to Hurimutty Mookerjee, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

PORESH NATH MOOKERJEE,
Oola, Zilla Nuddea.

Lost

The lower halves of Government Promissory Notes Nos. 205064 and 135234, of the 4 per cent. of 1865 and 1842-43, for Rs. 2,000 and Rs. 1,000, respectively, originally standing in the name of Essur Dass Benarsee Dass and Paras Dass, respectively, and last endorsed to Bhajan Lal, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BHAJAN LAL,
Anarki Gallee, Delhi.

Destroyed

The Government Promissory Notes, Nos. 7612 and 7615, of the 4 per cent. of 1854-55, for ₹1,000 each, originally standing in the name of Prasanna Kumar Sen, and No. 16034 of the 4 per cent. of 1835-36, for ₹500, originally standing in the name of Chandra Kumar Sen, and last endorsed to Jahnoba Gupta, the proprietress,

by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

JAHNOBA GUPTA,
Senhati, District Khoolna.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, JULY 31, 1886.

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PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

On the 2nd of April last the lodging-house of Bykunt Nath Mookerjee, Pleader at Saifgunge, in the District of Purneah, together with all his properties, deeds and documents, including 4 per cent. Government Promissory Notes mentioned below, have been completely burnt and destroyed by fire :—

1. The Government Promissory Note No. 036975, of the 4 per cent. of 1854-55, dated 30th June 1854, for ₹3,000, originally standing in the name of Bykunt Nath Mookerjee, the proprietor, by whom it was never endorsed to any other person.
2. The Government Promissory Note No. 018438, of the 4 per cent. of 1854-55, dated 30th June 1854, for ₹1,000, originally standing in the name of Collector of 24-Pergunnahs, and last endorsed to Bykunt Nath Mookerjee, the proprietor, by whom it was never endorsed to any other person.
3. The Government Promissory Note No. 002134, of the 4 per cent. of 1832-33, dated 1st May 1832, for ₹500 sicca, originally standing in the name of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, the proprietors, by whom it was never endorsed to any other person.
4. The Government Promissory Note No. 017045, of the 4 per cent. of 1835-36, dated 31st March 1836, for ₹500, originally standing in the name of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, the proprietors, by whom it was never endorsed to any other person.

Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and applications are

about to be made for the issue of duplicates in favour of the proprietors.

BYKUNT NATH MOOKERJEE,
*Barre, District Jessore, Sub-Division Bangong,
at present residing at Saifgunge, District Purneah.*

PROMISSORY NOTES.

Lost.

The lower halves of Government Promissory Notes Nos. 205064 and 135234, of the 4 per cent. of 1865 and 1842-43, for ₹2,000 and ₹1,000, respectively, originally standing in the name of Essur Dass Benarsee Dass and Paras Dass, respectively, and last endorsed to Bhajan Lal, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

BHAJAN LAL,
Anarki Galles, Delhi.

Lost or Stolen.

The certificates of Bank of Bengal Shares Nos. 210, 19465, 26291 and 26292, for ₹500 each, of which No. 210 was issued in the name of William Anderson, Esq., No. 19465 in that of Colonel N. F. Bayley, and Nos. 26291 and 26292 in the name of H. S. King, Esq., and all four of which were endorsed and transferred to Miss F. M. Templeton, the duly registered proprietress thereof, by whom they were never endorsed to any other person; also the Government Promissory Note No. 128853, of the 4 per cent. loan of

1855, for Rs500, originally standing in the name of Omer Chand Paul, and last endorsed to the said Miss F. M. Templeton, the proprietress, by whom it was never endorsed to any other person. Transfer and payment of the above Shares and Note and the dividends and interest thereon have been stopped at the Bank of Bengal and at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

C. T. DAVIS,

*Attorney and Agent for the said F. M. Templeton,
5, Hastings Street, Calcutta.*

Destroyed.

The Government Promissory Notes, Nos. 7612 and 7615, of the 4 per cent. of 1854-55, for Rs1,000 each, originally standing in the name of Prasanna Kumar Sen, and No. 16034 of the 4 per cent. of 1835-36, for Rs500, originally standing in the name of Chandra Kumar Sen, and last endorsed to Jahnoba Gupta, the proprietress, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

JAHNOBA GUPTA,

Senhati, District Khoolna.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 7, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

On the 2nd of April last the lodging-house of Bykunt Nath Mookerjee, Fleader at Saifgunge, in the District of Purneah, together with all his properties, deeds and documents, including 4 per cent. Government Promissory Notes mentioned below, have been completely burnt and destroyed by fire:—

1. The Government Promissory Note No. 036975, of the 4 per cent. of 1854-55, dated 30th June 1854, for Rs. 3,000, originally standing in the name of Bykunt Nath Mookerjee, the proprietor, by whom it was never endorsed to any other person.
2. The Government Promissory Note No. 018438, of the 4 per cent. of 1854-55, dated 30th June 1854, for Rs. 1,000, originally standing in the name of Collector of 24-Pergunnahs, and last endorsed to Bykunt Nath Mookerjee, the proprietor, by whom it was never endorsed to any other person.
3. The Government Promissory Note No. 002134, of the 4 per cent. of 1832-33, dated 1st May 1832, for Rs. 500 sicca, originally standing in the name of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, the proprietors, by whom it was never endorsed to any other person.
4. The Government Promissory Note No. 017045, of the 4 per cent. of 1835-36, dated 31st March 1836, for Rs. 500, originally standing in the name of Bykunt Nath Mookerjee and Kylash Chunder Mookerjee, the proprietors, by whom it was never endorsed to any other person.

Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and applications are

about to be made for the issue of duplicates in favour of the proprietors.

BYKUNT NATH MOOKERJEE,
*Barce, District Jessore, Sub-Division Bangong,
at present residing at Saifgunge, District Purneah.*

PROMISSORY NOTES.

Lost or Stolen.

The certificates of Bank of Bengal Shares Nos. 210, 19465, 26291 and 26292, for Rs. 500 each, of which No. 210 was issued in the name of William Anderson, Esq., No. 19465 in that of Colonel N. F. Bayley, and Nos. 26291 and 26292 in the name of H. S. King, Esq., and all four of which were endorsed and transferred to Miss F. M. Templeton, the duly registered proprietress thereof, by whom they were never endorsed to any other person; also the Government Promissory Note No. 128853, of the 4 per cent. loan of 1865, for Rs. 500, originally standing in the name of Omer Chand Paul, and last endorsed to the said Miss F. M. Templeton, the proprietress, by whom it was never endorsed to any other person. Transfer and payment of the above Shares and Note and the dividends and interest thereon have been stopped at the Bank of Bengal and at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

C. T. DAVIS,
*Attorney and Agent for the said F. M. Templeton,
5, Hastings Street, Calcutta.*

Stolen.

Two Government Promissory Notes, Nos. 163941 and 205192, of the 4 per cent. of 1st May 1865, for Rs500 each, originally standing in the name of Tariny Churn Ghose, and last endorsed to Sreemutty Kadumbinee Dossee, the proprietress, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been

stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

BUNKO BEHARY PAUL,

*Pleader, S. C. Court, Calcutta,
for Sreemutty Kadumbinee Dossee.
Punchanuntola, Chinsurah, Hooghly.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 14, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost.

The Government Promissory Note No. 075300, of the 4 per cent. of 1842-43, for ₹100, originally standing in the name of Kartick Chandra Bural, and last endorsed to Monohur Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

MONOHUR SEN,
Barahanagar.

Lost or Stolen.

The certificates of Bank of Bengal Shares Nos. 210, 19465, 26291 and 26292, for ₹500 each, of which No. 210 was issued in the name of William Anderson, Esq., No. 19465 in that of Colonel N. F. Bayley, and Nos. 26291 and 26292 in the name of H. S. King, Esq., and all four of which were endorsed and transferred to Miss F. M. Templeton, the duly registered proprietress thereof, by whom they were never endorsed to any other person; also the Government Promissory Note No. 128853, of the 4 per cent. loan of 1865, for ₹500, originally standing in the name of Omer Chand Paul, and last endorsed to the

said Miss F. M. Templeton, the proprietress, by whom it was never endorsed to any other person. Transfer and payment of the above Shares and Note and the dividends and interest thereon have been stopped at the Bank of Bengal and at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

C. T. DAVIS,

*Attorney and Agent for the said F. M. Templeton,
5, Hastings Street, Calcutta.*

Stolen.

Two Government Promissory Notes, Nos. 163941 and 205192, of the 4 per cent. of 1st May 1865, for ₹500 each, originally standing in the name of Tariny Churn Ghose, and last endorsed to Sreemutty Kadumbinee Dossee, the proprietress, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

BUNKO BEHARY PAUL,

*Pleader, S. C. Court, Calcutta,
for Sreemutty Kadumbinee Dossee,
Punchanuntola, Chinsurah, Hooghly.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 21, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

Abstract Statement of the Uncovenanted Service Family Pension Fund for the Second Quarter ending 31st October 1885, compared with the corresponding Quarter of the Year 1884.

[illegible]

(a)	Net increase in Total Receipts	.	4,835	15	8
(b)	Ditto in Total Payments	.	16,778	6	1
(c)	Ditto in Balance	.	4,33,173	6	10

G. W. MACLEOD,
Accountant.

R. A. FINK,
H. RONALDSON. } *Auditors.*

H. RONALDSON,
Published by order of the Directors.

W. H. RYLAND,
Secretary, U. S. Family Pension Fund.

FUND OFFICER,
The 29th July 1886.

PROMISSORY NOTES.**Lost.**

The Government Promissory Note No. 075300, of the 4 per cent. of 1842-43, for ₹100, originally standing in the name of Kartick Chandra Burrall, and last endorsed to Monohur Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

MONOHUR SEN,
Barahanagar.

Lost, Stolen, or Destroyed.

The Government Promissory Notes Nos. 221373 and 209883, of the 4 per cent. of 1865, for ₹500 each, originally standing in the name of Surendranath and the Bank of Bengal, respectively, and last endorsed to Surendranath Banerjee, the proprietor, by whom they were never endorsed to any other person. Payment

of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SURENDRANATH BANERJEE,
*60, Mirzapur Street,
Calcutta.*

Stolen.

Two Government Promissory Notes, Nos. 163941 and 205192, of the 4 per cent. of 1st May 1865, for ₹500 each, originally standing in the name of Tariny Churn Ghose, and last endorsed to Sreemutty Kadumbinee Dossee, the proprietress, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietress.

BUNKO BEHARY PAUL,
*Pleader, S. C. Court, Calcutta,
for Sreemutty Kadumbinee Dossee,
Punchanuntola, Chinsurah, Hooghly.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, AUGUST 28, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

RESULT OF VOTES

On the proposals submitted in Circular No. 1, dated 15th April 1886.

Subject.	Yes.	No.
Whether the proposed verbal alteration in rules 5 and 24 may be carried out.	Both rules, 1,069 Rule 5, 3 Do. 24, 3	Both rules 3 Rule 5, 3 Do. 24, 3

By order of the Directors,
W. H. RYLAND,
Secretary.

U. S. F. P. FUND OFFICE,
15, KYD STREET,
The 16th August 1886.

PROMISSORY NOTES.

Lost.

The Government Promissory Note No. 075300, of the 4 per cent. of 1842-43, for Rs100, origin-

ally standing in the name of Kartick Chandra Bural, and last endorsed to Monohur Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

MONOHUR SEN,
Barahanagar.

Lost, Stolen, or Destroyed.

The Government Promissory Notes Nos. 221373 and 209883, of the 4 per cent. of 1865, for Rs500 each, originally standing in the name of Surendranath and the Bank of Bengal, respectively, and last endorsed to Surendranath Banerjee, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SURENDRANATH BANERJEE,
60, Mirzapur Street,
Calcutta.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 4, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

THE BENGAL RICE MILLS ASSOCIATION, "LIMITED."

Notice is hereby given that an Extraordinary General Meeting of the Bengal Rice Mills Association, Limited, will be held at the Registered Office of the Association, No. 3, New China Bazar Street, in the Town of Calcutta, on Monday, the 13th day of September 1886, at 5 o'clock in the afternoon, when the subjoined Resolutions will be proposed:—

RESOLUTIONS.

1. That it has been proved to the satisfaction of this Meeting that the Company cannot, by reason of its liabilities, continue its business and that it is advisable to wind up the same.
2. That the Company be wound up voluntarily, and that F. St. Aubyn King, of Council House Street, Calcutta, Accountant, and C. M. Rustomjee, of No 3, New China Bazar Street, Calcutta, be and they are hereby appointed Liquidators at a remuneration of Rs50 each, with power to do such of the several acts and things specified in the Indian Companies Act, 1882, and more especially Sections 144, 177, and 201 of that Act, as shall be found necessary or proper for winding up the affairs of the Company, settling the claims of its creditors, and distributing its assets.

The above Resolutions, if passed by the requisite majority, are intended to take effect under Sub-Section (c) of Section 173 of the Indian Companies Act, 1882.

By order of the Board,

H. REINHOLD, JR.,

C. M. RUSTOMJEE,

Agents, pro tem.,
Bengal Rice Mills Association, Ltd.

CALCUTTA,

The 30th August 1886.

PROMISSORY NOTES.

Lost, Stolen, or Destroyed.

The Government Promissory Notes Nos. 221373 and 209883, of the 4 per cent. of 1865, for Rs500 each, originally standing in the name of Surendranath and the Bank of Bengal, respectively, and last endorsed to Surendranath Banerjee, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

SURENDRANATH BANERJEE,

60, Mirzapur Street,
Calcutta.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 18, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Stolen.

The Government Promissory Note No. 188802, of the 4 per cent. of 1865, for Rs500, originally standing in the name of the Bank of Bengal, and last endorsed to Baboo Jogendro Chunder Sen, the proprietor, by whom it was never en-

dorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

SURES CHUNDER SEN,
15, Sestaram Ghose's Street.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, SEPTEMBER 25, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

Abstract statement of the Uncovenanted Service Family Pension Fund for the Third Quarter ending 31st January 1886, compared with the corresponding quarter of the year 1885.

PARTICULARS.	For the 3rd quarter ending 31st January 1886.	For the 3rd quarter ending 31st January 1885.	Increase.	Decrease.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Balance at credit of the Fund on the Government books at the end of the previous quarter	91,93,824 7 2	87,00,651 0 4	4,93,173 6 10	...
ADD RECEIPTS—				
Subscriptions from November to January in the Widows' Fund	1,21,591 0 2	1,20,261 5 0	1,239 11 2	...
Ditto ditto Children's Fund	91,944 0 9	80,899 13 9	1,244 3 0	...
Entrance fees, &c., ditto Charges General	439 6 0	612 13 9	...	163 7 9
Amount of fines imposed under Rule 40A	929 7 6	369 12 9	539 10 9	...
Amount credited to divisible surplus	837 12 0	1 12 0	835 15 0	...
Total Receipts	2,05,741 10 5	2,01,955 10 3	(a) 3,949 7 11	163 7 9
Grand Total	93,99,565 1 7	89,02,606 10 7	4,37,129 14 9	163 7 9
DEDUCT PAYMENTS—				
Pensions payable to incumbents in the Widows' Fund	89,243 4 10	85,045 12 6	3,297 8 4	...
Ditto ditto Children's Fund	61,061 18 7	58,108 6 1	2,943 7 6	...
Establishment, including house rent and contingencies	9,349 10 6	9,814 15 5	...	465 4 11
Loss in exchange on remittances to England	15,025 10 11	11,798 5 3	3,239 5 8	...
Amount of fines written back	9 14 4	40 4 8	...	80 6 4
Total payments	1,74,680 6 3	1,65,702 11 11	(b) 9,473 5 6	495 11 3
Net balance in favour of the Fund, exclusive of interest upon capital	92,24,885 11 5	87,96,903 14 8	(c) 4,27,649 9 3	332 3 6
Proportion of divisible surplus payable to subscribers	57,529 0 0	49,403 0 0	8,126 0 0	...
	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
Number of subscribers	1,532	1,036	1,536	1,012
Ditto of incumbents	419	629	404	593
Ditto of subscribers sharing statements	1,116	758	1,096	733
	Widows' Fund.	Children's Fund.	Widows' Fund.	Children's Fund.
	16	37	20	24

(a) Net increase in Total Receipts ... Rs. A. P. 3,786 0 2
(b) Ditto in Total Payments ... 8,077 10 3
(c) Ditto in Balance ... 4,27,981 12 9
G. W. MACLEOD,
Accountant.

R. A. FINE,
H. RONALDSON, } Auditors.

Published by order of the Directors.

W. H. RYLAND, Secretary.
Uncovenanted Service Family Pension Fund.

Fund Office, the 11th September 1886.

NOTICE

Is hereby given that the share and interest of Munshi Tobarukollah in our Firm of Kola, Bhuli and Co., Hide Merchants, of No. 8, Amratollah Street, ceased on the 20th Asar 1293, the date of the death of the said Munshi Tobarukollah and that since then, we Shaik Kola and Shaik Hajee Bhuli are carrying on business on our own account under the same name and style of Kola, Bhuli and Co., and we alone are authorized to act for and on behalf of the said New Firm. All debts due by and to the Old Firm of Kola, Bhuli and Co., will be paid and recovered by the said Shaik Kola and Shaik Hajee Bhuli.

SHAIK KOLA.

SHAIK HAJEE BHULI.

By BUDDYNATH MULLICK,

Agent and Pleader.

CALCUTTA,

The 21st September 1886.

PROMISSORY NOTES.**Stolen.**

The Government Promissory Note No. 188802, of the 4 per cent. of 1865, for Rs500, originally standing in the name of the Bank of Bengal, and last endorsed to Baboo Jogendra Chunder Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

SURES CHUNDER SEN,

15, Seetaram Ghose's Street.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 2, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE

Is hereby given that the share and interest of Munshi Tobarukollah in our Firm of Kola, Bhuli and Co., Hide Merchants, of No. 8, Amratollah Street, ceased on the 20th Asar 1293, the date of the death of the said Munshi Tobarukollah and that since then, we Shaik Kola and Shaik Hajee Bhuli are carrying on business on our own account under the same name and style of Kola, Bhuli and Co., and we alone are authorized to act for and on behalf of the said New Firm. All debts due by and to the Old Firm of Kola, Bhuli and Co., will be paid and recovered by the said Shaik Kola and Shaik Hajee Bhuli.

SHAIK KOLA.

SHAIK HAJEE BHULI.

By BUDDYNATH MULLICK,
Agent and Pleader.

CALCUTTA,
The 21st September 1886.

PROMISSORY NOTES.

Lost.

The Government Promissory Notes, No. 144388, dated 1st May 1865, for Rs1,000, and

No. 137303, dated 1st February 1842-43, for Rs1,000, standing in the name of Jadub Lal Shaw, of Doajanee, in the District of Mymensingh, by whom the papers were blank endorsed. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates to him.

JADUB LAL SHAW,

*Doajanee, in the District of Mymensingh,
and also No. 1, Brojogobinda Shaw's Lane,
Calcutta.*

Stolen.

The Government Promissory Note No. 188802, of the 4 per cent. of 1865, for Rs500, originally standing in the name of the Bank of Bengal, and last endorsed to Baboo Jogendro Chunder Sen, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of a duplicate in favour of the proprietor.

SURES CHUNDER SEN,
15, Seetaram Ghose's Street.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 9, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE

Is hereby given that the share and interest of Munshi Tobarukollah in our Firm of Kola, Bhuli and Co., Hide Merchants, of No. 8, Amratollah Street, ceased on the 20th Asar 1293, the date of the death of the said Munshi Tobarukollah and that since then, we Shaik Kola and Shaik Hajee Bhuli are carrying on business on our own account under the same name and style of Kola, Bhuli and Co., and we alone are authorized to act for and on behalf of the said New Firm. All debts due by and to the Old Firm of Kola, Bhuli and Co., will be paid and recovered by the said Shaik Kola and Shaik Hajee Bhuli.

SHAIK KOLA.
SHAIK HAJEE BHULI.
By BUDDYNATH MULLICK,
Agent and Pleader.

CALCUTTA,
The 21st September 1886.

PROMISSORY NOTES.

Lost.

The Government Promissory Notes, No. 144388, dated 1st May 1865, for ₹1,000, and No. 137303, dated 1st February 1842-43, for ₹1,000, standing in the name of Jadub Lal Shaw, of Doajanee, in the District of Mymensingh, by whom the papers were blank endorsed. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates to him.

JADUB LAL SHAW,

Doajanee, in the District of Mymensingh,
and also No. 1, Brojogobinda Shaw's Lane,
Calcutta.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 16, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost.

The Government Promissory Notes, No. 144388, dated 1st May 1865, for Rs. 1,000, and No. 137303, dated 1st February 1842-43, for Rs. 1,000, standing in the name of Jadub Lal Shaw, of Doajanee, in the District of Mymensingh, by whom the papers were blank endorsed.

Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates to him.

JADUB LAL SHAW,

*Doajanee, in the District of Mymensingh,
and also No. 1, Brojogobinda Shaw's Lane,
Calcutta.*



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, OCTOBER 30, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Stolen.

From my residence at Oojein, the Government Promissory Note No. 142745, of the 4 per cent. of 1842-43, for Rs. 5,000, originally standing in the name of Luxmebai, Administratrix of Nairain Rao Gobind Dhoby, the proprietor, by whom it was never endorsed to any other per-

son. Payment of the above note and the interest thereupon have been stopped at the Public Debt Offices, Bank of Bengal and Bank of Bombay, and application is about to be made for the issue of a duplicate in favour of the proprietor. The note is enfaced for payment of interest from the Indore Treasury.

LUXMEBAI DHOBY,
Oojein, Central India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 6, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Stolen.

From my residence at Oojein, the Government Promissory Note No. 142745, of the 4 per cent. of 1842-43, for Rs. 5,000, originally standing in the name of Luxmebai, Administratrix of Nairain Rao Gobind Dhoby, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Offices, Bank of Bengal and Bank of Bombay, and application is about to be made for the issue of a duplicate in favour of the proprietor.

The note is enfaced for payment of interest from the Indore Treasury.

LUXMEBAI DHOBY,
Oojein, Central India.

NOTICE.

Government Securities Nos. 229017 and 229018 of 1865, of the 4 per cent. loan, for Rs. 100 each, belong to me. They were lost or stolen on the 1st instant.

GOKUL CHANDRA DHAR,
Attorney-at-Law.

7, OLD POST OFFICE STREET,
The 3rd November 1886.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 13, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Stolen.

From my residence at Oojein, the Government Promissory Note No. 142745, of the 4 per cent. of 1842-43, for Rs. 5,000, originally standing in the name of Luxmebai, Administratrix of Nairain Rao Gobind Dhoby, the proprietor, by whom it was never endorsed to any other per-

son. Payment of the above note and the interest thereupon have been stopped at the Public Debt Offices, Bank of Bengal and Bank of Bombay, and application is about to be made for the issue of a duplicate in favour of the proprietor. The note is enfaced for payment of interest from the Indore Treasury.

LUXMEBAI DHOBY,
Oojein, Central India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 20, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

HINDU FAMILY ANNUITY FUND.

Abstract Statement of the Audited Accounts of the Hindu Family Annuity Fund for the Quarters ending 30th September and 31st December 1885.

Receipts.	Quarter ending 30th September, 1885.	Quarter ending 31st December, 1885.	Disbursements.	Quarter ending 30th September, 1885.	Quarter ending 31st December, 1885.
	<i>R a. p.</i>	<i>R a. p.</i>		<i>R a. p.</i>	<i>R a. p.</i>
Subscriptions . . .	7,026 14 9	7,178 9 9	Annuity . . .	938 0 0	1,120 5 3
Entrance Fees . . .	27 0 0	29 0 0	Establishment . . .	331 8 0	331 8 0
Interest . . .	...	3,580 0 0	Miscellaneous . . .	218 7 9	200 9 5
Miscellaneous . . .	0 4 3	1 9 0	Government of India for Deposit . . .	7,112 2 9	11,882 8 10
Deposits . . .	67 7 0	1,074 4 0	Deposits . . .	48 2 0	58 2 3
Government of India— Amount withdrawn . . .	1,876 0 0	1,593 0 0	Valuation of Assets and Liabilities . . .	333 5 6	...
Opening Cash Balance . . .	359 8 6	375 8 6	Closing Cash Balance . . .	375 8 6	238 13 6
TOTAL R . . .	9,357 2 6	13,831 15 3	TOTAL R . . .	9,357 2 6	13,831 15 3

Published by order of the Directors agreeably to Rule 75.

GOBIND CHUNDER SEAL,
DOORGA DOSS BOSE,
Auditors.

RAMAPRASANNA GHOSH,
Secretary.

THE HINDU FAMILY ANNUITY FUND OFFICE,
CALCUTTA,
The 15th November, 1886.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, NOVEMBER 27, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

UNCOVENANTED SERVICE FAMILY PENSION FUND.

RESULT OF VOTES

On the proposal submitted in Circular No. 2, dated 6th August, 1886.

SUBJECT.	Yes.	No.
Whether Mrs. M. Taylor is to be admitted to her former pension as the widow of Mr. W. J. Lawson.	1,320	22

By order of the Directors,
W. H. RYLAND,
Secretary.

U. S. F. P. FUND OFFICE,
The 23rd November, 1886.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 4, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Destroyed.

Notes Nos. 173493 and 173492 for ₹1,000 each, and No. 173255 for ₹500, of the 4 per cent. of 1865, originally standing in the name of the Chartered Bank of India, Australia, and China, and last endorsed to Doyal Chunder Chuckerbutty,

Note No. 208422 for ₹1,000 of the 4 per cent. of 1863, originally standing in the name of the National Bank of India, Limited, and last endorsed to Doyal Chundra Seromoni,

Notes Nos. 212692 and 212693 for ₹1,000 each of the 4 per cent. of 1865, originally standing in the name of the Bank of Bengal, and last endorsed to Doyal Chundra Seromoni, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

DOYAL CHUNDER CHUCKERBUTTY SEROMONI.

Konnagar.

The 29th November, 1886.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 11, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Destroyed.

Notes Nos. 173493 and 173492 for ₹1,000 each, and No. 173255 for ₹500, of the 4 per cent. of 1865, originally standing in the name of the Chartered Bank of India, Australia, and China, and last endorsed to Doyal Chunder Chuckerbutty,

Note No. 208422 for ₹1,000 of the 4 per cent. of 1865, originally standing in the name of the National Bank of India, Limited, and last endorsed to Doyal Chundra Seromoni,

Notes Nos. 212692 and 212693 for ₹1,000 each of the 4 per cent. of 1865, originally standing in the name of the Bank of Bengal, and last endorsed to Doyal Chundra Seromoni, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

DOYAL CHUNDER CHUCKERBUTTY SEROMONI.

Konnagar.

The 29th November, 1886.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, DECEMBER 18, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Destroyed.

Notes Nos. 173493 and 173492 for ₹1,000 each, and No. 173255 for ₹500, of the 4 per cent. of 1865, originally standing in the name of the Chartered Bank of India, Australia, and China, and last endorsed to Doyal Chunder Chuckerbutty,

Note No. 208422 for ₹1,000 of the 4 per cent. of 1865, originally standing in the name of the National Bank of India, Limited, and last endorsed to Doyal Chundra Seromoni,

Notes Nos. 212692 and 212693 for ₹1,000 each of the 4 per cent. of 1865, originally standing in the name of the Bank of Bengal, and last endorsed to Doyal Chundra Seromoni, the proprietor, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietor.

DOYAL CHUNDER CHUCKERBUTTY SEROMONI.

Konnagar.

The 29th November, 1886.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 17, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 16th July, 1886, and is hereby promulgated for general information :—

ACT NO. XVI OF 1886.

An Act to make provision for the more speedy trial of certain accused persons in custody in Lower Burma.

WHEREAS it is expedient to make provision for the more speedy trial of certain accused persons in custody in Lower Burma; It is hereby enacted as follows :—

1. (1) This Act may be called the Lower Burma Gaols Delivery Act, 1886.
Short title, extent and commencement.

(2) It extends to such districts of Lower Burma as the Local Government may by notification in the official Gazette declare to be disturbed; and

(3) It shall come into force at once.

2. (1) This Act shall, so far as is consistent with the terms thereof, be construed as one with the Code of Criminal Procedure, 1882.
Construction.

(2) "Lower Burma" in this Act means the territories administered by the Chief Commissioner of British Burma on the thirty-first day of December, 1885: and

(3) "Scheduled offence" means an offence mentioned in the schedule to this Act.

3. (1) The Local Government may by notification in the official Gazette confer on any Magistrate of the first class the powers
Conferment of powers of Court of Session on Magistrates.

of a Court of Session as a Court of original jurisdiction for the trial of persons accused of scheduled offences.

(2) A Magistrate on whom those powers of a Court of Session have been so conferred may take cognizance of—

(a) any scheduled offence without the accused person being committed to him by a Magistrate, and

(b) such cases in which persons accused of any scheduled offence have been committed to the Court of Session by Magistrates as the Local Government by general or special order directs him to try or as the Sessions Judge of the Division makes over to him for trial.

(3) When a Magistrate in exercise of those powers of a Court of Session takes cognizance of any scheduled offence without the accused person being committed to him by a Magistrate, he shall follow the procedure prescribed by the Code of Criminal Procedure for the trial of warrant-^X cases by Magistrates, and the provisions of that Code relating to trial before a Court of Session shall not apply.

(4) Proceedings pending before a Magistrate under Chapter XVIII of the Code of Criminal Procedure at the time of the conferment on him of those powers of a Court of Session may be continued by him under Chapter XXI of that Code as if they had been commenced under the latter Chapter:

Provided that the accused person may demand that any witness who has given evidence before the conferment of the powers be re-summoned and re-heard.

(5) Sentences, judgments and orders passed by a Magistrate in exercise of those powers of a Court of Session shall be subject to confirmation, appeal and revision as if they had been passed by a Court of Session.

4. (1) The Local Government, with the previous sanction of the Governor General in Council, may by notification in the official Gazette appoint such person or persons as it thinks fit to be an Additional Judicial Commissioner or Additional Judicial Commissioners, and to sit as such in any districts mentioned in the notification.

(2) An Additional Judicial Commissioner shall, with respect to scheduled offences, exercise within any districts in which he is appointed to sit such jurisdiction and powers of the Judicial Commissioner as the Local Government may prescribe.

(3) Every enactment for the time being applicable to the Judicial Commissioner shall apply to an Additional Judicial Commissioner when exercising any jurisdiction or powers under subsection (2).

5. The Local Government may withdraw any powers, and cancel any appointment, conferred or made under this Act.

6. Notwithstanding anything in Act VI of 1864 (an Act to authorise the punishment of whipping in certain cases), but subject to the provisions of sections 390 to 395 (both inclusive) of the Code of Criminal Procedure, a person convicted of a scheduled offence may be sentenced to whipping either in lieu of or in addition to any other punishment to which he may be liable under the Indian Penal Code.

7. Notwithstanding anything in the Indian Limitation Act, 1877, the period of limitation for an appeal to the Judicial Commissioner or an Additional Judicial Commissioner from a conviction of a scheduled offence shall, except in the cases provided for by No. 150 and No. 157 of the second schedule to that Act, be thirty days from the date of the conviction.

8. This Act shall expire on the thirtieth day of June, 1887, or on such earlier date as the Local Government, with the previous sanction of the Governor General in Council, may by notification in the official Gazette appoint in this behalf.

THE SCHEDULE.

Section of Indian Penal Code.	Offence.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.
121A	Conspiring to commit certain offences against the State.
122	Collecting arms, &c., with the intention of waging war against the Queen.
124A	Exciting, or attempting to excite, disaffection.
302	Murder.
304	Culpable homicide not amounting to murder.

Section of Indian Penal Code.	Offence.
307	Attempt to murder.
325	Voluntarily causing grievous hurt.
326	Voluntarily causing grievous hurt by dangerous weapons or means.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
333	Voluntarily causing grievous hurt to deter public servant from his duty.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt or of restraint, in order to the committing of such theft or to retiring after committing it, or to retaining property taken by it.
386	Extortion by putting a person in fear of death or grievous hurt.
387	Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion.
392	Robbery.
393	Attempt to commit robbery.
394	Person voluntarily causing hurt in committing, or attempting to commit, robbery, or any other person jointly concerned in such robbery.
395	Dacoity.
396	Murder in dacoity.
397	Robbery or dacoity, with attempt to cause death or grievous hurt.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.
399	Making preparation to commit dacoity.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.
402	Being one of five or more persons assembled for the purpose of committing dacoity.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.
435	Mischief by fire, or explosive substance, with intent to cause damage to amount of one hundred rupees or upwards, or, in case of agricultural produce, ten rupees or upwards.
436	Mischief by fire, or explosive substance, with intent to destroy a house, &c.
440	Mischief committed after preparation made for causing death or hurt &c.

Section of Indian Penal Code.	Offence.	Section of Indian Penal Code.	Offence.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	506	Criminal intimidation, if threat be to cause death or grievous hurt, &c.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.		Abetment of any of the foregoing offences.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.		Attempt to commit any of those offences which are not themselves expressed to be attempts to commit offences.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.		

S. HARVEY JAMES,

Offg. Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 24, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 16th July, 1886, and is hereby promulgated for general information :—

ACT NO. XVI OF 1886.

An Act to make provision for the more speedy trial of certain accused persons in custody in Lower Burma.

WHEREAS it is expedient to make provision for the more speedy trial of certain accused persons in custody in Lower Burma; It is hereby enacted as follows :—

1. (1) This Act may be called the Lower Burma Gaols Delivery Act, 1886.

Short title, extent and commencement.

(2) It extends to such districts of Lower Burma as the Local Government may by notification in the official Gazette declare to be disturbed; and

(3) It shall come into force at once.

2. (1) This Act shall, so far as is consistent with the terms thereof, be construed as one with the Code of Criminal Procedure, 1882.

Construction.

(2) "Lower Burma" in this Act means the territories administered by the Chief Commissioner of British Burma on the thirty-first day of December, 1885: and

(3) "Scheduled offence" means an offence mentioned in the schedule to this Act.

3. (1) The Local Government may by notification in the official Gazette confer on any Magistrate of the first class the powers

Conferment of powers of Court of Session on Magistrates.

of a Court of Session as a Court of original jurisdiction for the trial of persons accused of scheduled offences.

(2) A Magistrate on whom those powers of a Court of Session have been so conferred may take cognizance of—

(a) any scheduled offence without the accused person being committed to him by a Magistrate, and

(b) such cases in which persons accused of any scheduled offence have been committed to the Court of Session by Magistrates as the Local Government by general or special order directs him to try or as the Sessions Judge of the Division makes over to him for trial.

(3) When a Magistrate in exercise of those powers of a Court of Session takes cognizance of any scheduled offence without the accused person being committed to him by a Magistrate, he shall follow the procedure prescribed by the Code of Criminal Procedure for the trial of warrant cases by Magistrates, and the provisions of that Code relating to trial before a Court of Session shall not apply.

(4) Proceedings pending before a Magistrate under Chapter XVIII of the Code of Criminal Procedure at the time of the conferment on him of those powers of a Court of Session may be continued by him under Chapter XXI of that Code as if they had been commenced under the latter Chapter:

Provided that the accused person may demand that any witness who has given evidence before the conferment of the powers be re-summoned and re-heard.

(5) Sentences, judgments and orders passed by a Magistrate in exercise of those powers of a Court of Session shall be subject to confirmation, appeal and revision as if they had been passed by a Court of Session.

4. (1) The Local Government, with the previous sanction of the Governor General in Council, may by notification in the official Gazette appoint such person or persons as it thinks fit to be an Additional Judicial Commissioner or Additional Commissioners, and to sit as such in any districts mentioned in the notification.

(2) An Additional Judicial Commissioner shall, with respect to scheduled offences, exercise within any districts in which he is appointed to sit such jurisdiction and powers of the Judicial Commissioner as the Local Government may prescribe.

(3) Every enactment for the time being applicable to the Judicial Commissioner shall apply to an Additional Judicial Commissioner when exercising any jurisdiction or powers under subsection (2).

5. The Local Government may withdraw any powers, and cancel any appointment, conferred or made under this Act.

6. Notwithstanding anything in Act VI of 1864 Modification of Whip- (an Act to authorise the punishment of whipping in certain cases), but subject to the provisions of sections 390 to 395 (both inclusive) of the Code of Criminal Procedure, a person convicted of a scheduled offence may be sentenced to whipping either in lieu of or in addition to any other punishment to which he may be liable under the Indian Penal Code.

X of 1882.

XLV of 1860.

XV of 1877.

7. Notwithstanding anything in the Indian Limitation Act, 1877, the period of limitation for an appeal to the Judicial Commissioner or an Additional Judicial Commissioner from a conviction of a scheduled offence shall, except in the cases provided for by No. 150 and No. 157 of the second schedule to that Act, be thirty days from the date of the conviction.

8. This Act shall expire on the thirtieth day of June, 1887, or on such earlier date as the Local Government, with the previous sanction of the Governor General in Council, may by notification in the official Gazette appoint in this behalf.

THE SCHEDULE.

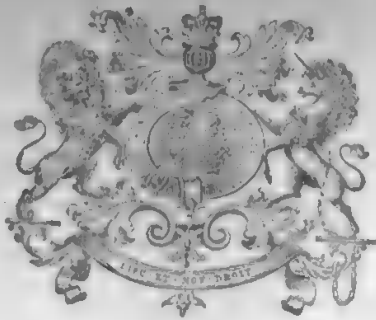
Section of Indian Penal Code.	Offence.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.
121A	Conspiring to commit certain offences against the State.
122	Collecting arms, &c., with the intention of waging war against the Queen.
124A	Exciting, or attempting to excite, disaffection.
302	Murder.
304	Culpable homicide not amounting to murder.

Section of Indian Penal Code.	Offence.
307	Attempt to murder.
325	Voluntarily causing grievous hurt.
326	Voluntarily causing grievous hurt by dangerous weapons or means.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
333	Voluntarily causing grievous hurt to deter public servant from his duty.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt or of restraint, in order to the committing of such theft or to retrieving after committing it, or to retaining property taken by it.
386	Extortion by putting a person in fear of death or grievous hurt.
387	Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion.
392	Robbery.
393	Attempt to commit robbery.
394	Person voluntarily causing hurt in committing, or attempting to commit, robbery, or any other person jointly concerned in such robbery.
395	Dacoity.
396	Murder in dacoity.
397	Robbery or dacoity, with attempt to cause death or grievous hurt.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.
399	Making preparation to commit dacoity.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.
402	Being one of five or more persons assembled for the purpose of committing dacoity.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.
435	Mischief by fire, or explosive substance, with intent to cause damage to amount of one hundred rupees or upwards, or, in case of agricultural produce, ten rupees or upwards.
436	Mischief by fire, or explosive substance, with intent to destroy a house, &c.
440	Mischief committed after preparation made for causing death or hurt, &c.

Section of Indian Penal Code.	Offence.	Section of Indian Penal Code.	Offence.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	506	Criminal intimidation, if threat be to cause death or grievous hurt, &c.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.		Abetment of any of the foregoing offences.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.		Attempt to commit any of those offences which are not themselves expressed to be attempts to commit offences.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.		

S. HARVEY JAMES,

Offg. Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, JULY 31, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 16th July, 1886, and is hereby promulgated for general information:—

ACT NO. XVI OF 1886.

An Act to make provision for the more speedy trial of certain accused persons in custody in Lower Burma.

WHEREAS it is expedient to make provision for the more speedy trial of certain accused persons in custody in Lower Burma; It is hereby enacted as follows:—

1. (1) This Act may be called the Lower Burma Gaols Delivery Act, 1886.

Short title, extent and commencement.

(2) It extends to such districts of Lower Burma as the Local Government may by notification in the official Gazette declare to be disturbed; and

(3) It shall come into force at once.

2. (1) This Act shall, so far as is consistent with the terms thereof, be construed as one with the Code of Criminal Procedure, 1882.

Construction.

(2) "Lower Burma" in this Act means the territories administered by the Chief Commissioner of British Burma on the thirty-first day of December, 1885: and

(3) "Scheduled offence" means an offence mentioned in the schedule to this Act.

3. (1) The Local Government may by notification in the official Gazette confer on any Magistrate of the first class the powers

Conferment of powers of Court of Session on Magistrate.

of a Court of Session as a Court of original jurisdiction for the trial of persons accused of scheduled offences.

(2) A Magistrate on whom those powers of a Court of Session have been so conferred may take cognizance of—

(a) any scheduled offence without the accused person being committed to him by a Magistrate, and

(b) such cases in which persons accused of any scheduled offence have been committed to the Court of Session by Magistrates as the Local Government by general or special order directs him to try or as the Sessions Judge of the Division makes over to him for trial.

(3) When a Magistrate in exercise of those powers of a Court of Session takes cognizance of any scheduled offence without the accused person being committed to him by a Magistrate, he shall follow the procedure prescribed by the Code of Criminal Procedure for the trial of warrant-cases by Magistrates, and the provisions of that Code relating to trial before a Court of Session shall not apply.

(4) Proceedings pending before a Magistrate under Chapter XVIII of the Code of Criminal Procedure at the time of the conferment on him of those powers of a Court of Session may be continued by him under Chapter XXI of that Code as if they had been commenced under the latter Chapter:

Provided that the accused person may demand that any witness who has given evidence before the conferment of the powers be re-summoned and re-heard.

(5) Sentences, judgments and orders passed by a Magistrate in exercise of those powers of a Court of Session shall be subject to confirmation, appeal and revision as if they had been passed by a Court of Session.

4. (1) The Local Government, with the previous sanction of the Governor General in Council, may by notification in the official Gazette appoint such person or persons as it thinks fit to be an Additional Judicial Commissioner or Additional Judicial Commissioners, and to sit as such in any districts mentioned in the notification.

(2) An Additional Judicial Commissioner shall, with respect to scheduled offences, exercise within any districts in which he is appointed to sit such jurisdiction and powers of the Judicial Commissioner as the Local Government may prescribe.

(3) Every enactment for the time being applicable to the Judicial Commissioner shall apply to an Additional Judicial Commissioner when exercising any jurisdiction or powers under subsection (2).

5. The Local Government may withdraw any powers, and cancel any appointment, conferred or made under this Act.

6. Notwithstanding anything in Act VI of 1864 Modification of Whipping Act. (an Act to authorise, the punishment of whipping in certain cases), but subject to the provisions of sections 390 to 395 (both inclusive) of the Code

X of 1882.

XLV of 1860.

of Criminal Procedure, a person convicted of a scheduled offence may be sentenced to whipping either in lieu of or in addition to any other punishment to which he may be liable under the Indian Penal Code.

XV of 1877

7. Notwithstanding anything in the Indian Limitation Act, 1877, the period of limitation for an appeal to the Judicial Commissioner or an Additional Judicial Commissioner from a conviction of a scheduled offence shall, except in the cases provided for by No. 150 and No. 157 of the second schedule to that Act, be thirty days from the date of the conviction.

8. This Act shall expire on the thirtieth day of June, 1887, or on such earlier date as the Local Government, with the previous sanction of the Governor General in Council, may by notification in the official Gazette appoint in this behalf.

THE SCHEDULE.

Section of Indian Penal Code.	Offence.
121	Waging or attempting to wage war, or abetting the waging of war, against the Queen.
121A	Conspiring to commit certain offences against the State.
122	Collecting arms, &c., with the intention of waging war against the Queen.
124A	Exciting, or attempting to excite, disaffection.
302	Murder.
304	Culpable homicide not amounting to murder.

Section of Indian Penal Code.	Offence.
307	Attempt to murder.
325	Voluntarily causing grievous hurt.
326	Voluntarily causing grievous hurt by dangerous weapons or means.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
333	Voluntarily causing grievous hurt to deter public servant from his duty.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing of such theft or to retiring after committing it, or to retaining property taken by it.
386	Extortion by putting a person in fear of death or grievous hurt.
387	Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion.
392	Robbery.
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395	Dacoity.
396	Murder in dacoity.
397	Robbery or dacoity, with attempt to cause death or grievous hurt.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.
399	Making preparation to commit dacoity.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.
402	Being one of five or more persons assembled for the purpose of committing dacoity.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.
435	Mischief by fire, or explosive substance, with intent to cause damage to amount of one hundred rupees or upwards, or, in case of agricultural produce, ten rupees or upwards.
436	Mischief by fire, or explosive substance, with intent to destroy a house, &c.
440	Mischief committed after preparation made for causing death or hurt, &c.

Section of Indian Penal Code.	Offence.	Section of Indian Penal Code.	Offence.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.	506	Criminal intimidation, if threat be to cause death or grievous hurt, &c. Abetment of any of the foregoing offences. Attempt to commit any of those offences which are not themselves expressed to be attempts to commit offences.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.		
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.		
470	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.		

S. HARVEY JAMES,

Offg. Secretary to the Government of India



The Gazette of India.

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SIMLA, SATURDAY, SEPTEMBER 18, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor-General on the 17th September, 1886, and is hereby promulgated for general information:—

ACT NO. XVII OF 1886.

An Act to annex the Town and Fort of Jhānsī and certain adjacent Territory to the Jhānsī District, and for certain other purposes.

Short title and commencement.

1. (1) This Act may be called the Jhānsī and Morar Act, 1886; and

(2) It shall come into force on a date to be appointed in this behalf by the Lieutenant-Governor of the North-Western Provinces, which date is in this Act referred to as the commencement of this Act.

PART I.

WHEREAS since the beginning of March, 1886, the town and fort of Jhānsī have been ceded to the British Government in full sovereignty by His Highness the Maharāja Seindia in exchange for the cantonment of Morar which has been ceded to His Highness in full sovereignty by the British Government;

And whereas the town and fort of Jhānsī have been declared by the Governor-General in Council to be subject to the Lieutenant-Governorship of the North-Western Provinces;

And whereas it is proposed that certain lands adjacent to the Jhānsī district should be ceded to the British Government in full sovereignty by His Highness in exchange for certain other lands

to be ceded to His Highness in full sovereignty by the British Government;

And whereas it is expedient that the town and fort of Jhānsī, and the lands to be ceded to the British Government should be annexed to the Jhānsī district, and that the law in force therein should be the same as the law in force in that district;

And whereas it is also expedient that the town and fort, and the lands which may be ceded to the British Government, should, for the purposes of the Scheduled Districts Act, 1874, form part XIV of 1874. of the Jhānsī district;

It is hereby enacted as follows:—

2. The town and fort of Jhānsī, and the lands Annexation of ceded which may be ceded to the lands to Jhānsī district. British Government in accordance with the proposal referred to in the preamble to this Part, shall, in the case of the town and fort, from the commencement of this Act, and, in the case of any of the lands, from the date of the cession thereof, be deemed to be part of the Jhānsī district.

3. All enactments which at the commencement of this Act, or at the date of the cession of any of the lands referred to in the last foregoing section, are or shall be in force in the Jhānsī district and not in the town and fort of Jhānsī or in those lands, shall then come into force in the town and fort or in those lands, as the case may be.

4. On and from the commencement of this Act, or the date of the cession of any of those lands, as the case may be, the town and fort of Jhānsī and the lands shall be deemed to form part of the district of Jhānsī mentioned in Part IV of the first schedule to the Scheduled Districts Act, 1874.

XIV of 1874.

5. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed in or with respect to the town and fort of Jhānsī since the beginning of March, 1886, and before the commencement of this Act, by any officer of the Government, or by any person acting under his authority or otherwise in pursuance of an order of the Government, or which have been or shall be ratified by the Lieutenant-Governor of the North-Western Provinces, shall be as valid and operative as if they had been done, taken or passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that any such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

PART II.

And whereas it is expedient that decrees and orders passed by the Civil and Revenue Courts of His Highness in cases which would have been cognizable by the Civil and Revenue Courts of the Jhānsī district under the Code of Civil Procedure or the Jhānsī Courts Act, 1867, or the North-Western Provinces Rent Act, 1881, if the territory ceded by His Highness had been part of the Jhānsī district at the time of the institution of the cases, should be capable of being executed as if they had been made by the Courts of the Jhānsī district;

And whereas the period of limitation prescribed for suits in the territories of His Highness is twelve years, and it is expedient that persons having just claims which, but for the cession of territory, they might have enforced in the Courts of His Highness, should not be debarred from enforcing those claims by reason of a shorter period of limitation being prescribed for any class of suits by the law in force in the Jhānsī district;

And whereas it is expedient that suits pending in the Courts of His Highness and left undetermined by those Courts by reason of cession of territory should be continued in the Courts of the Jhānsī district;

And whereas it is expedient to remove doubts as to the effect of the law in force in the Jhānsī district, with respect to registration and stamps, on documents and instruments to which at the time of their execution the law of His Highness applied and the law of British India did not apply;

It is hereby further enacted as follows:—

6. (1) An application for the execution of a decree or order passed by a Civil or Revenue Court of His Highness in any such case as is referred to in the first clause of the preamble to this Part may, with the previous sanction of the Deputy Commissioner, be made to any Court in the Jhānsī district subordinate to the Court of the Commissioner which may be specified by the Deputy Commissioner in that behalf in his order giving the sanction.

(2) If in any case the Deputy Commissioner is of opinion that for special reasons the sanction ought to be withheld or ought to be granted subject to conditions, he may either withhold his sanction or permit the application to be made on any conditions which in the circumstances he deems it proper to impose; but in

either of those cases he shall record the reasons in writing.

(3) The fact that an application is barred by the Indian Limitation Act, 1877, may be sufficient cause for withholding sanction to the making of the application, but in any case in which the holder of the decree or order has been debarred from enforcing it by reason of the cession of the town and fort of Jhānsī to the British Government, and to which the Deputy Commissioner sees fit to apply the provisions of that Act, the Deputy Commissioner shall, in computing the period of limitation, exclude therefrom the time which has elapsed between the cession of the town and fort and the commencement of this Act.

(4) Subject to revision by the Commissioner of the Jhānsī Division, an order of the Deputy Commissioner sanctioning or refusing to sanction the making of an application under this section, or imposing conditions with respect thereto, shall be final.

7. (1) Notwithstanding anything in the Indian Limitation Act, 1877, or in any other enactment, the Deputy Commissioner may, within such term, not exceeding two years from the commencement of this Act, as the Local Government may prescribe in this behalf, admit any suit of a nature cognizable by the Courts of British India, which, if there had not been a cession of territory and the suit had been instituted in a Court of His Highness having jurisdiction with respect thereto, would not be liable to be dismissed by that Court by reason of its being barred by any law of limitation.

(2) In the computation of the period of limitation for a suit referred to in sub-section (1) which the plaintiff has been debarred from instituting by reason of the cession of the town and fort of Jhānsī to the British Government, there shall be excluded from the period the time which has elapsed between the cession of the town and fort and the commencement of this Act.

(3) Subject to revision by the Commissioner of the Jhānsī Division, an order of the Deputy Commissioner admitting or refusing to admit a suit under sub-section (1) shall be final.

8. An original suit pending in a Court of His Highness and left undetermined by that Court by reason of cession of territory may, be continued, under the law of limitation applicable to that Court but otherwise in accordance with the law and procedure of British Indian Courts, in any Court in the Jhānsī district subordinate to the Court of the Commissioner which the Deputy Commissioner may appoint in that behalf.

9. The provisions of the law of British India with respect to the consequences of documents being unregistered or instruments being unstamped shall not apply to any document or instrument which may have been executed before a date to be prescribed in this behalf by the Local Government, and to which the law of His Highness applied, and the law of British India did not apply, at the time of its execution.

XIV of 1882.
XVIII of
1867.
XII of 1881.

PART III.

And whereas it is expedient that traders and others who were entitled immediately before the cession of the cantonment of Morar to institute certain suits in, or make applications for or with respect to the execution of certain decrees to, a Civil Court at Morar should be enabled to institute those suits in, and make those applications to, the Civil Courts at Jhānsī and Agra, and at any other place from time to time appointed in this behalf by the Governor-General in Council, and that the period of limitation in these cases should be extended ;

It is hereby further enacted as follows :—

10. (1) Any person who at the date of the cession of the cantonment of Morar was entitled to institute in a Civil Court at Morar a suit of any of the descriptions referred to in articles 50 to 54 (both inclusive) or articles 56 to 64 (both inclusive) or articles 66 to 75 (both inclusive) of the second schedule to the Indian Limitation Act, 1877, or to make to any such Court an application for or with respect to the execution of a decree in any

Suits for debt formerly cognizable in a Morar Court to be cognizable in Courts at certain other places.

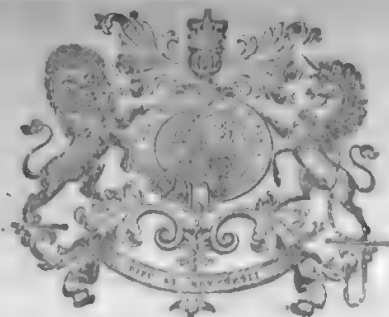
such suit, may institute the suit or make the application in any Civil Court at Jhānsī or Agra, or other place appointed in that behalf by the Governor-General in Council, which would have jurisdiction in the suit to be instituted, or, as the case may be, would have had jurisdiction in the suit in which the decree to be executed was passed, if the cause of action had arisen within the local limits of its jurisdiction.

(2) Notwithstanding anything in any enactment or notification to the contrary, any Civil Court at Jhānsī or Agra, or other place aforesaid, in which any such suit or application as is referred to in sub-section (1) is instituted or made shall, subject to the provisions of that sub-section, have jurisdiction to dispose of it.

(3) In computing the period of limitation for any suit or application referred to in this section, the time which has elapsed between the date of the cession of the cantonment of Morar and the commencement of this Act shall be excluded.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.



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SIMLA, SATURDAY, SEPTEMBER 25, 1886.

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor-General on the 17th September, 1886, and is hereby promulgated for general information:—

ACT No. XVII OF 1886.

An Act to annex the Town and Fort of Jhānsī and certain adjacent Territory to the Jhānsī District, and for certain other purposes.

Short title and commencement.

1. (1) This Act may be called the Jhānsī and Morar Act, 1886; and

(2) It shall come into force on a date to be appointed in this behalf by the Lieutenant-Governor of the North-Western Provinces, which date is in this Act referred to as the commencement of this Act.

PART I.

WHEREAS since the beginning of March, 1886, the town and fort of Jhānsī have been ceded to the British Government in full sovereignty by His Highness the Maharājā Scindia in exchange for the cantonment of Morar which has been ceded to His Highness in full sovereignty by the British Government;

And whereas the town and fort of Jhānsī have been declared by the Governor-General in Council to be subject to the Lieutenant-Governorship of the North-Western Provinces;

And whereas it is proposed that certain lands adjacent to the Jhānsī district should be ceded to the British Government in full sovereignty by His Highness in exchange for certain other lands

to be ceded to His Highness in full sovereignty by the British Government;

And whereas it is expedient that the town and fort of Jhānsī, and the lands to be ceded to the British Government should be annexed to the Jhānsī district, and that the law in force therein should be the same as the law in force in that district;

And whereas it is also expedient that the town and fort, and the lands which may be ceded to the British Government, should, for the purposes of the Scheduled Districts Act, 1874, form part XIV of 1874. of the Jhānsī district;

It is hereby enacted as follows:—

2. The town and fort of Jhānsī, and the lands

Annexation of ceded which may be ceded to the lands to Jhānsī district. British Government in accordance with the proposal referred to in the preamble to this Part, shall, in the case of the town and fort, from the commencement of this Act, and, in the case of any of the lands, from the date of the cession thereof, be deemed to be part of the Jhānsī district.

3. All enactments which at the commencement

Assimilation of law in force in ceded lands to law in force in Jhānsī district. of this Act, or at the date of the cession of any of the lands referred to in the last foregoing section, are or shall be in force in the Jhānsī district and not in the town and fort of Jhānsī or in those lands, shall then come into force in the town and fort or in those lands, as the case may be.

4. On and from the commencement of this Act,

Ceded lands to become part of the scheduled district of Jhānsī. or the date of the cession of any of those lands, as the case may be, the town and fort of Jhānsī and the lands shall be deemed to form part of the district of Jhānsī mentioned in Part IV of the first schedule to the Scheduled Districts Act, 1874.

XIV of 1874.

5. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed in or with respect to the town and fort of Jhānsī since the beginning of March, 1886, and before the commencement of this Act, by any officer of the Government, or by any person acting under his authority or otherwise in pursuance of an order of the Government, or which have been or shall be ratified by the Lieutenant-Governor of the North-Western Provinces, shall be as valid and operative as if they had been done, taken or passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that any such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

PART II.

XIV of 1882.
XVIII of 1867.
XII of 1881.

And whereas it is expedient that decrees and orders passed by the Civil and Revenue Courts of His Highness in cases which would have been cognizable by the Civil and Revenue Courts of the Jhānsī district under the Code of Civil Procedure or the Jhānsī Courts Act, 1867, or the North-Western Provinces Rent Act, 1881, if the territory ceded by His Highness had been part of the Jhānsī district at the time of the institution of the cases, should be capable of being executed as if they had been made by the Courts of the Jhānsī district;

And whereas the period of limitation prescribed for suits in the territories of His Highness is twelve years, and it is expedient that persons having just claims which, but for the cession of territory, they might have enforced in the Courts of His Highness, should not be debarred from enforcing those claims by reason of a shorter period of limitation being prescribed for any class of suits by the law in force in the Jhānsī district;

And whereas it is expedient that suits pending in the Courts of His Highness and left undetermined by those Courts by reason of cession of territory should be continued in the Courts of the Jhānsī district;

And whereas it is expedient to remove doubts as to the effect of the law in force in the Jhānsī district, with respect to registration and stamps, on documents and instruments to which at the time of their execution the law of His Highness applied and the law of British India did not apply;

It is hereby further enacted as follows:—

6. (1) An application for the execution of a decree or order passed by a Civil or Revenue Court of His Highness in any such case as is referred to in the first clause of the preamble to this Part may, with the previous sanction of the Deputy Commissioner, be made to any Court in the Jhānsī district subordinate to the Court of the Commissioner which may be specified by the Deputy Commissioner in that behalf in his order giving the sanction.

(2) If in any case the Deputy Commissioner is of opinion that for special reasons the sanction ought to be withheld or ought to be granted subject to conditions, he may either withhold his sanction or permit the application to be made on any conditions which in the circumstances he deems it proper to impose; but in

either of those cases he shall record the reasons in writing.

(3) The fact that an application is barred by the Indian Limitation Act, 1877, may be sufficient cause for withholding sanction to the making of the application, but in any case in which the holder of the decree or order has been debarred from enforcing it by reason of the cession of the town and fort of Jhānsī to the British Government, and to which the Deputy Commissioner sees fit to apply the provisions of that Act, the Deputy Commissioner shall, in computing the period of limitation, exclude therefrom the time which has elapsed between the cession of the town and fort and the commencement of this Act.

(4) Subject to revision by the Commissioner of the Jhānsī Division, an order of the Deputy Commissioner sanctioning or refusing to sanction the making of an application under this section, or imposing conditions with respect thereto, shall be final.

7. (1) Notwithstanding anything in the Indian Limitation Act, 1877, or in any other enactment, the Deputy Commissioner may, within such term, not exceeding two years from the commencement of this Act, as the Local Government may prescribe in this behalf, admit any suit of a nature cognizable by the Courts of British India, which, if there had not been a cession of territory and the suit had been instituted in a Court of His Highness having jurisdiction with respect thereto, would not be liable to be dismissed by that Court by reason of its being barred by any law of limitation.

(2) In the computation of the period of limitation for a suit referred to in sub-section (1) which the plaintiff has been debarred from instituting by reason of the cession of the town and fort of Jhānsī to the British Government, there shall be excluded from the period the time which has elapsed between the cession of the town and fort and the commencement of this Act.

(3) Subject to revision by the Commissioner of the Jhānsī Division, an order of the Deputy Commissioner admitting or refusing to admit a suit under sub-section (1) shall be final.

8. An original suit pending in a Court of His Highness and left undetermined by that Court by reason of cession of territory may, be continued, under the law of limitation applicable to that Court but otherwise in accordance with the law and procedure of British Indian Courts, in any Court in the Jhānsī district subordinate to the Court of the Commissioner which the Deputy Commissioner may appoint in that behalf.

9. The provisions of the law of British India with respect to the consequences of documents being unregistered or instruments being unstamped shall not apply to any document or instrument which may have been executed before a date to be prescribed in this behalf by the Local Government, and to which the law of His Highness applied and the law of British India did not apply, at the time of its execution.

PART III.

And whereas it is expedient that traders and others who were entitled immediately before the cession of the cantonment of Morar to institute certain suits in, or make applications for or with respect to the execution of certain decrees to, a Civil Court at Morar should be enabled to institute those suits in, and make those applications to, the Civil Courts at Jhānsī and Agra, and at any other place from time to time appointed in this behalf by the Governor-General in Council, and that the period of limitation in these cases should be extended ;

It is hereby further enacted as follows :—

10. (1) Any person who at the date of the cession of the cantonment of Morar was entitled to institute in a Civil Court at Morar a suit of any of the descriptions referred to in articles 50 to 54 (both inclusive) or articles 56 to 64 (both inclusive) or articles 66 to 75 (both inclusive) of the second schedule to the Indian Limitation Act, 1877, or to make to any such Court an application for or with respect to the execution of a decree in any

Suits for debt formerly cognizable in a Morar Court to be cognizable in Courts at certain other places.

such suit, may institute the suit or make the application in any Civil Court at Jhānsī or Agra, or other place appointed in that behalf by the Governor-General in Council, which would have jurisdiction in the suit to be instituted, or, as the case may be, would have had jurisdiction in the suit in which the decree to be executed was passed, if the cause of action had arisen within the local limits of its jurisdiction.

(2) Notwithstanding anything in any enactment or notification to the contrary, any Civil Court at Jhānsī or Agra, or other place aforesaid, in which any such suit or application as is referred to in sub-section (1) is instituted or made shall, subject to the provisions of that sub-section, have jurisdiction to dispose of it.

(3) In computing the period of limitation for any suit or application referred to in this section, the time which has elapsed between the date of the cession of the cantonment of Morar and the commencement of this Act shall be excluded.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information:—

ACT NO. XVIII OF 1886.

An Act to amend Act XXXVI of 1858.

WHEREAS it is expedient to amend Act XXXVI of 1858 (*an Act relating to Lunatic Asylums*); It is hereby enacted as follows:—

Now section inserted after section 6. 1. After section 6 the following shall be inserted, namely:—

“6 A. (1) Where a person found wandering at large who is deemed to be a lunatic, or where a person believed to be dangerous by reason of lunacy, is apprehended and sent to the Magistrate or the Commissioner of Police, or where, on report or information that a person deemed to be a lunatic is not under proper care and control or is cruelly treated or neglected, the Magistrate or the Commissioner of Police sends for him and then determines to proceed as prescribed in section 4 of this Act, the Magistrate or the Commissioner of Police, on the request of the medical officer, may, by order in writing, authorise the detention of the supposed lunatic for such time, not exceeding ten days, as, in the opinion of the Magistrate or the Commissioner of Police, may be necessary to enable the medical officer to form an opinion on the question whether or not the supposed lunatic is a person with respect to whom a certificate in the form A in the schedule to this Act ought to be signed.

“(2) If the medical officer certifies further detention than has been authorised under subsection (1) to be necessary to enable him to form his opinion on that question, the Magistrate or

the Commissioner of Police may from time to time, by order in writing, authorise such further detention as he deems to be necessary:—

“Provided that a supposed lunatic shall not be detained for the purpose of this section for a longer time than fourteen days from the date on which the first order authorising his detention for that purpose is made.

“(3) The Executive Government may from time to time make rules as to the place of detention, and the care and treatment, of supposed lunatics detained under this section.”

2. To section 9 the words “Subject to the provisions of any enactment for the time being in force,” shall be prefixed.

3. After section 17 the following shall be inserted, namely:—

“17A. When an Executive Government has not established within its limits a public asylum for the reception and detention of lunatics under this Act, the Governor-General in Council may from time to time appoint an asylum established in British India beyond those limits to be an asylum to which a Magistrate or Judge exercising jurisdiction within those limits may send lunatics as to an asylum established under this Act for the division in which his jurisdiction is situate.

“17B. The Governor-General in Council may from time to time, by order, direct with respect to any part of British India which is not annexed to a presidency or, being annexed to the presidency of Fort William, Fort Saint George or Bombay, is situated at a greater distance than, three hundred miles from Calcutta, Madras or Bombay, respectively, that any lunatic asylum in British India named in the order shall be deemed for that part to be a lunatic asylum at the presidency for the purposes of this Act.”

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to amend Act XXXVI of 1858 was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886 :—

LEGISLATIVE DEPARTMENT.

We, the undersigned, Members of the Select Committee to which the

- From Officiating Assistant Secretary to Chief Commissioner, Central Provinces, No. 182—9, dated 21st January, 1886 [Paper No. 1].
 From Secretary for Berar to Resident, Hyderabad, No. 14G., dated 19th January, 1886 [Paper No. 2].
 From Secretary to Chief Commissioner, Assam, No. 224, dated 27th January, 1886 [Paper No. 3].
 From Officiating Secretary to Chief Commissioner, British Burma, No. 534—4L., dated 29th January, 1886 [Paper No. 4].
 From Chief Commissioner, Ajmer-Merwara, No. 294C., dated 3rd February, 1886 [Paper No. 5].
 From Under-Secretary to Government, Bombay, No. 522, dated 9th February, 1886, and enclosures [Papers No. 6].
 From Acting Chief Secretary to Government, Madras, No. 355, dated 9th February, 1886, and enclosures [Papers No. 7].
 From Secretary to Government, North-Western Provinces and Oudh, No. 334—VI-590-8, dated 19th February, 1886, and enclosure [Papers No. 8].
 From Registrar, High Court, Calcutta, No. 502, dated 23rd February, 1886 [Paper No. 9].
 From Secretary to Chief Commissioner, Coorg, No. 288—12, dated 1st March, 1886 [Paper No. 10].
 From Officiating Secretary to Government, Bengal, No. 1604, dated 1st April, 1886 [Paper No. 11].
 From Secretary to Government, Punjab, No. 319, dated 19th March, 1886, and enclosures [Papers No. 12].

Bill to amend Act XXXVI of 1858 was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. The Bill as introduced was approved by the authorities to whom it was referred, but further amendments of the Act were proposed by the Governments of Bengal and the Punjab.

3. The former Government drew attention to the absence of any provision authorising the detention of supposed lunatics for observation, and the latter to the inconvenience ensuing from the provision which requires lunatics who are not natives of the country to be sent in all cases to an asylum at the presidency.

4. It appeared to us that express provision ought to be made for the detention of supposed lunatics. As a matter of practice they are detained, for in many cases the medical officer is not in a position to form an opinion on the question whether or not a person is a lunatic until he has had the person under observation for some days. The detention is probably legal where it is authorised by the Magistrate (I. L. R. 9 Cal. 341), but it is desirable that there should be no room for doubt as to the legality of a practice which is in fact absolutely necessary. We considered it desirable, however, before submitting our Report, to consult Local Governments, and we therefore circulated a draft clause proposing, in accordance with the advice of the Surgeon-General, a period of ten days as the maximum term of detention for purposes of observation. We have now, after considering the replies to our circular, proposed to extend the term to fourteen days, and to authorise Local Governments to make rules as to the place of detention, and the care and treatment, of supposed lunatics.

5. The proposal of the Punjab Government with respect to the establishment of asylums at other places than the presidency-towns for lunatics who are not natives of the country was referred by us to other Local Governments, and has been approved by them. We have provided, therefore, that the Governor-General in Council may, with respect to any part of British India which is not annexed to a presidency, or is more than three hundred miles from a presidency-town, direct that any lunatic asylum named in the order shall be deemed for that part to be a lunatic asylum at the presidency for the purposes of the Act.

6. Section 9 of the Act empowers the visitors of a lunatic asylum to order the discharge of any person detained in the asylum. As the Code of Criminal Procedure, 1882, and the Prisoners Act, 1871, reserve that power in certain cases to other authorities, we have proposed to prefix to that section an express saving of the provisions of other enactments.

7. The publication ordered by the Council has been made as follows :—

In English.

Gazette.	Date.
Gazette of India	26th December, 1885, and 2nd and 9th January, 1886.
Fort Saint George Gazette	13th January, 1886.
Bombay Government Gazette	7th, 14th and 21st January, 1886.
Calcutta Gazette	6th January, 1886.
North-Western Provinces and Oudh Government Gazette.	2nd, 9th and 16th January, 1886.
Punjab Government Gazette	7th, 14th and 21st January, 1886.
Central Provinces Gazette	2nd, 9th and 16th January, 1886.
British Burma Gazette	16th, 23rd and 30th January, 1886.
Assam Gazette	16th, 23rd and 30th January, 1886.
Coorg District Gazette	1st February, 1886.
Sindh Official Gazette	4th February, 1886.

In the Vernaculars.

<i>Province.</i>		<i>Language.</i>	<i>Date.</i>
Bombay	...	Maráthi	25th January, 1886.
		Gujaráthi	26th January, 1886.
		Kannarese	27th January, 1886.
		Sindhi	11th February, 1886.
Bengal	...	Bengali	26th January, 1886.
		Hindi	26th January, 1886.
		Uriya	4th February, 1886.

8. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

The 10th September, 1886.

C. P. ILBERT.

S. C. BAYLEY.

J. W. QUINTON.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information :—

ACT NO. XIX OF 1886.

An Act to legalize the discharge by the Lieutenant-Governor of the North-Western Provinces of certain functions of the Governor-General in Council.

WHEREAS certain functions which are by enactments in force in the North-Western Provinces assigned to the Governor-General in Council are in practice discharged by the Lieutenant-Governor of those Provinces, and it is expedient that these functions should continue to be so discharged, and that their discharge in the past should be legalized;

And whereas the functions assigned to the Governor-General in Council by Regulation LII of 1893 (*for establishing a Court of Wards in the Provinces ceded by the Nawab Fuzir to the Honourable the English East India Company*), which Regulation was extended to the Conquered Provinces by section 29, Regulation VIII, 1805, and to the Province of Benares by section 2, Regulation VI, 1822, were up to the twenty-second day of December, 1873, discharged by the Lieutenant-Governor of the North-Western Provinces, and it is expedient that their discharge by the said Lieutenant-Governor up to that date should be validated;

It is hereby enacted as follows :—

1. The sections of the enactments in the schedule to this Act which are specified in the third column of that schedule shall have effect, and, so far as may be necessary to validate anything heretofore done under them by the Lieutenant-Governor of the North-Western Provinces, shall be deemed to have had effect as if the Lieutenant-Governor of the

North-Western Provinces were therein referred to instead of the Governor-General in Council.

2. Sections 3, 7, 9 and 17 of Regulation LII of 1803 shall be deemed to have had effect in the North-Western Provinces as if the words "or the Lieutenant-Governor of the North-Western Provinces" had been inserted in those sections after the words "Governor-General in Council" wherever the latter words occur.

THE SCHEDULE.

(See section 1.)

(a) Bengal Regulations.

Number and year.	Subject.	Sections.
1	2	3
V of 1799	To limit the interference of the Zilá and City Courts of Diwání Adálat in the execution of wills and administration to the estates of persons dying intestate.	7
IX of 1833.	For (among other matters) the more extensive employment by Native agency in the Revenue Department.	16, 17 & 25.

(b) Act of the Governor-General in Council.

Number and year.	Subject.	Section.
XII of 1856.	To amend the law respecting the employment of amins by the Civil Courts in the Presidency of Fort William.	2

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to legalize the discharge by the Lieutenant-Governor of the North-Western Provinces of certain functions of the Governor-General in Council was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886 :—

LEGISLATIVE DEPARTMENT.

We, the undersigned, Members of the Select Committee to which the Bill to legalize the

From Officiating Secretary to Chief Commissioner, British Burma, No. 574—17L., dated 19th September, 1884, and enclosure [Papers No. 1].

From Officiating Secretary to Chief Commissioner, Assam, No. 1520, dated 20th September, 1884 [Paper No. 2].

From Officiating Secretary to Government, Punjab, No. 5728., dated 29th September, 1884, and enclosure [Papers No. 3].

From Chief Commissioner, Ajmer-Merwara, No. 841, dated 3rd October, 1884 [Paper No. 4].

From Secretary to Chief Commissioner, Central Provinces, No. 367., dated 26th October, 1884, and enclosure [Papers No. 5].

From Secretary to Government, North-Western Provinces and Oudh, No. 121—XIII-10-5, dated 8th August, 1884, and enclosure [Papers No. 6].

discharge by the Lieutenant-Governor of the North-Western Provinces of certain functions of the Governor-General in Council was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. We have removed Regulation LII of 1800 from the schedule to the Bill, because the Mirzapur Stone Mahál Act, 1836, seems to us to render its retention unnecessary.

3. We have proposed in an additional section to validate the exercise by the Lieutenant-Governor of the North-Western Provinces of the powers of the Governor-General in Council under Regulation LII of 1803 which the Lieutenant-Governor seems to have exercised without question throughout the forty years which elapsed between the constitution of his office and the repeal of the Regulation. When the Bill was under consideration some two years ago, the interests of the parties to a suit then pending might have been affected by the validation of the exercise of these powers, and it was therefore decided that our Report should be delayed till the suit had been disposed of. There is now, so far as we are aware, no litigation before any Court which can be influenced in any way by the enactment of the section which we propose to add to the Bill.

4. The publication ordered by the Council has been made as follows :—

In English.

<i>Gazette.</i>	<i>Date.</i>
Gazette of India ...	23rd and 30th August, and 6th September, 1884.
North-Western Provinces and Oudh ...	
Government Gazette ...	30th August, and 6th and 13th September, 1884.

In the Vernacular.

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
North-Western Provinces and Oudh ...	Urdu ...	20th and 27th September, and 4th October, 1884.

5. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.

J. W. QUINTON.

The 14th September, 1886.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information :—

ACT NO. XX OF 1886.

An Act to declare the law in force in Upper Burma.

WHEREAS the territories which were formerly governed by King Thebaw have become part of British India;

And whereas it is expedient to declare the law in force in those territories, and for this purpose to distinguish between those territories and the territories which were under the administration of the Chief Commissioner of British Burma on the thirty-first day of December, 1885;

It is hereby enacted as follows :—

1. (1) This Act may be called the Upper Burma

Short title and com-
mencement.

Laws Act, 1886.

(2) This section and sections 2, 3, 4 and 5 shall come into force at once, and the rest of the Act shall come into force on such date (hereinafter called the commencement of this Act), within four months from the passing of the Act, as the Local Government may, by notification in the official Gazette, appoint in this behalf.

2. (1) The following territories shall constitute a province to be known as Burma, namely :—

Constitution of Prov.
ince of Burma.

(a) the territories formerly governed by King Thebaw, which shall be known as "Upper Burma"; and

(b) the territories administered by the Chief Commissioner of British Burma on the thirty-first day of December, 1885, which shall be known as "Lower Burma."

(2) The Local Government, with the previous sanction of the Governor-General in Council, may from time to time, by notification in the official Gazette, transfer any portion of Upper Burma to Lower Burma, or any portion of Lower Burma to Upper Burma, with effect from a date to be specified in the notification, and on and from that date the portion so transferred shall form

part of Lower Burma or Upper Burma, as the case may be.

(3) When any portion of Upper Burma is transferred to Lower Burma, the Scheduled Districts Act, 1874, shall, unless the Governor-General in Council otherwise directs, continue to be in force therein. XIV of 1874.

(4) When any portion of Lower Burma is transferred to Upper Burma, the Governor-General in Council may direct that that Act shall come into force therein.

3. The Local Government may, for administrative purposes,—

Division of Upper
Burma into divisions,
districts, sub-divisions,
townships and circles.

(a) with the previous sanction of the Governor-General in Council, divide Upper Burma into divisions, and each of those divisions into districts, and from time to time vary the limits of those divisions and districts; and

(b) of its own authority, divide each of those districts into sub-divisions, each of those sub-divisions into townships, and each of those townships into circles, and from time to time vary the limits of those sub-divisions, townships and circles.

4. Where in any enactment in force at the pass-

ing of this Act in the territories referred to in section 2, sub-section (1), clause (b), there occurs the expression "British Burma Gazette" or the expression "British Burma" or "Burma" (except where the expression "Burma" occurs in the Petroleum Act, 1886, section 3), it shall be construed as referring to the Burma Gazette or to Lower Burma, as the case may be. XII of 1886.

5. The enactments specified in the first schedule to this Act, having been rendered unnecessary by the incorporation of Upper Burma in British India, are repealed to the extent mentioned in the third column of the schedule.

6 (1) Subject to the provisions of any Regulation under the Statute 33 of Burma, chapter 5, so much of each of the enactments specified in the second schedule to this Act as is at the commencement of this Act in force in any part of Lower Burma which is not included in a scheduled district as defined in the Scheduled Districts Act, 1874, shall be deemed to be in force in Upper Burma generally, or in the Town of Mandalay only, according as the enactment is specified in the First or Second Part of the schedule. XIV of 1874.

(2) An enactment not specified in that schedule shall not be deemed to be or to have been in force in Upper Burma or in any part of Upper Burma unless it is expressed, by special mention of Upper Burma or a part of Upper Burma, to extend thereto, or after the commencement of this Act is extended thereto in exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874, or by any other enactment for the time being in force.

(3) The Local Government may, from time to time, with the previous sanction of the Governor-General in Council, by notification in the official Gazette, declare that any enactment which is specified in that schedule or which may hereafter be extended in exercise of any such powers as aforesaid, shall no longer be in force in Upper Burma or in any part of Upper Burma specified in the notification.

(4) The limits of the Town of Mandalay for the purposes of this Act shall be the limits for the time being of the local area subject to the ordinary original jurisdiction of the Civil Court of Mandalay.

(5) This section does not extend to the Shan States.

7. (1) The following enactments specified in the First Part of the second schedule to this Act shall, in Upper Burma, be read subject to the following modifications, namely:—

(a) in Act VIII of 1851 (*an Act for enabling Government to levy Tolls on Public Roads and Bridges*), for the last sixteen words of section 4, the words "or of any person or property exempted by order of the Local Government from payment of tolls" shall be substituted;

(b) in Act V of 1861 (*an Act for the Regulation of Police*), to section 2 the words "All Thugyis and Myothugyis for the time being holding office shall be police-officers, and shall be deemed to have been formally enrolled under this Act" shall be added;

(c) in Act VI of 1864 (*an Act to authorise the punishment of whipping in certain cases*), after section 5 the section and schedule in the third schedule to this Act shall be added;

1 of 1872. (d) in the Indian Evidence Act, 1872, after the words "police officer" in section 25 the words "who is not a Magistrate" shall be inserted;

XIX of 1876. (e) in the Dramatic Performances Act, 1876, the words "within such area" shall be omitted from the third paragraph of section 10, and for the first two paragraphs of that section the following shall be substituted, namely:—

"No dramatic performance shall take place except under a license granted by the District Magistrate or such officer as the District Magistrate may appoint in this behalf.

"Any person who promotes or takes part in any dramatic performance in contravention of the foregoing portion of this section

shall be punishable, on conviction before a Magistrate, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both."

(2) This section does not extend to the Shan States.

8. (1) The Local Government, with the previous sanction of the Governor-General in Council, may, by notification in the official Gazette, from time to time extend to all or any of the Shan States any enactment which is in force in any part of Upper Burma at the date of the extension, and at any time withdraw all or any of those States from the operation of any enactment so extended.

(2) Unless and until extended under sub-section (1), an Act of the Governor-General in Council shall not be in force in any Shan State.

(3) The Local Government, with the previous sanction of the Governor-General in Council, may from time to time, by notification in the official Gazette, declare what territories constitute the Shan States for the purposes of this and the two last foregoing sections.

9. For the purpose of facilitating the application of any enactment for the time being in force in Upper Burma, any Court in Upper Burma may construe the enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court.

10. All acts of executive authority, proceedings, decrees and sentences, which have been done, taken or passed in Upper Burma since the seventeenth day of November, 1885, and before the commencement of this Act, by any officer of the Government, or by any person acting under his authority or otherwise in pursuance of an order of the Government, or which have been or shall be ratified by the Local Government, shall be as valid and operative as if they had been done, taken or passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that any such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

11. All rules, orders or instructions made or issued after the seventeenth day of November, 1885, and before the commencement of this Act, for the guidance of officers engaged in the administration of Upper Burma shall be deemed to have had the force of law, and shall, so far as they are consistent with this Act, continue to have the force of law until they are withdrawn, or are superseded by any Act of the Governor-General in Council, or by any Regulation under the Statute 33 Victoria, chapter 3, or by any enactment extended to Upper Burma, or by any rules, orders or instructions made or issued under any such Act, Regulation or enactment.

THE FIRST SCHEDULE.

(See section 5.)

ENACTMENTS REPEALED.

Number and year.	Subject.	Extent of repeal.
1	2	3
Act XXX of 1853.	An Act to provide for the levy of Duties of Customs in the Arakan, Pegu, Martaban and Tenasserim Provinces.	So much as has not been repealed.
Act IV of 1863.	An Act to give effect to certain provisions of a Treaty between His Excellency the Earl of Elgin and Kincardine, Viceroy and Governor-General of India, and His Majesty the King of Burma.	So much as has not been repealed.
Act XII of 1864.	An Act to give further effect to the provisions of Act IV of 1863.	So much as has not been repealed.
Act XXIII of 1872.	An Act for regulating the re-importation into British territory of goods cleared at Rangoon for the territory of the King of Ava.	The whole.

THE SECOND SCHEDULE.

(See section 6.)

FIRST PART.

Enactments declared in force in Upper Burma generally.

Number and year.	Subject.
BENGAL REGULATIONS.	
XI of 1812	Removal of Foreign Emigrants.
III of 1818	State Prisoners.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.	
V of 1843	Slavery.
XVIII of 1850	Protection of Judicial Officers.
XIX of 1850	Apprentices.
XXXIV of 1850	State Prisoners.

THE SECOND SCHEDULE—contd.

FIRST PART—contd.

Enactments declared in force in Upper Burma generally—contd.

Number and year.	Subject.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL—contd.	
XXXVII of 1850	Inquiries into behaviour of Public Servants.
VIII of 1851	Tolls on Roads and Bridges.
XXX of 1852	Naturalization of Aliens.
II of 1853	Burdens on Land.
XII of 1855	Executors and Administrators.
XIII of 1855	Compensation for death caused by actionable wrong.
XXIV of 1855	Penal Servitude.
XI of 1857	State Offences.
III of 1858 (s. 5)	State Prisoners.
XXXV of 1858	Lunatics.
XXXVI of 1858	Lunatic Asylums.
IX of 1859 (except s. 18, last para.)	Forfeited Property.
XV of 1859	Inventions.
IX of 1860	Disputes between Workmen and Employers.
XXVII of 1860	Collection of Debts on Successions.
XLV of 1860	Penal Code.
V of 1861	Police.
III of 1864	Foreigners.
VI of 1864 (except s. 6).	Whipping.
III of 1865	Carriers.
X of 1865	Succession.
XIV of 1866	Post Office.
III of 1867	Public Gambling.
XXV of 1867	Printing-Presses and Newspapers.
XXXII of 1867	Chief Commissioners' Powers.
I of 1868	General Clauses.
IV of 1869	Divorce.
V of 1869	Indian Articles of War.
XV of 1869	Prisoners' Testimony.
XX of 1869	Volunteers.
VII of 1870	Court-fees.
XX of 1870	Court-fees Act Amendment.
XXIII of 1870	Coinage.
XXVI of 1870	Prisons.
XXVII of 1870	Penal Code Amendment.
I of 1871	Cattle-trespass.
V of 1871	Prisoners.
XXIII of 1871	Pensions.
I of 1872	Evidence.
XIII of 1872	Patterns and Designs.
XV of 1872	Christian Marriage.
XVIII of 1872	Evidence Act Amendment.
XIX of 1872	Penal Code Amendment.
II of 1873	Burma Ferries.

THE SECOND SCHEDULE—*concl'd.*FIRST PART—*concl'd.**Enactments declared in force in Upper Burma generally—concl'd.*

Number and year.	Subject.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL—<i>concl'd.</i>	
X of 1873 ...	Oaths.
XIV of 1873 ...	Lunatic Soldiers.
IV of 1874 ...	Foreign Recruiting.
IX of 1874 ...	European Vagrancy.
XIV of 1874 ...	Scheduled Districts.
V of 1875 ...	Native Soldiers.
IX of 1875 ...	Majority.
XIII of 1875 ...	Probates.
XI of 1876 ...	Presidency Banks.
XIX of 1876 (except s. 12).	Dramatic Performances.
I of 1877 (s. 9) ...	Specific Relief.
II of 1877 ...	Probates.
XI of 1877 ...	Military Lunatics.
XV of 1877 ...	Limitation.
VI of 1878 ...	Treasure Trove.
XI of 1878 ...	Arms.
I of 1879 ...	Stamps.
III of 1879 (ss. 2, 4 and 8).	Destruction of Records.
IV of 1879 ...	Railways.
V of 1879 ...	Presidency Banks Act Amendment.
XXI of 1879 ...	Extradition.
III of 1880 ...	Cantonments.
V of 1881 (s. 153) ...	Probate and Administration.
III of 1882 (s. 3) ...	Seditious Publications.
VI of 1882 ...	Companies.
VIII of 1882 ...	Penal Code Amendment.
IX of 1882 ...	Prisoners Act Amendment.
XX of 1882 ...	Paper Currency.
IV of 1883 ...	Railways.
XIX of 1883 ...	Land Improvement Loans.
XVI of 1884 ...	Burma Gaming.
XIII of 1885 ...	Telegraphs.
X of 1886 (ss. 21-25, both inclusive).	Penal Code and Prisoners' Act Amendment.
XIII of 1886 ...	Securities.

SECOND PART.

Enactments declared in force in the Town of Mandalay only.

Number and year.	Subject.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.	
XI of 1865 ...	Mufassal Small Cause Courts.
IX of 1872 ...	Contracts.
I of 1877 ...	Specific Relief.
V of 1881 ...	Probate and Administration.
XXVI of 1881 ...	Negotiable Instruments.
XIV of 1882 ...	Code of Civil Procedure.
II of 1883 ...	Negotiable Instruments Act Amendment.
IV of 1886 ...	Contract Act Amendment.

THE THIRD SCHEDULE.

(See section 7, sub-section (1), cl. (c).)

ADDITION TO ACT VI OF 1864.

"6. (1) Notwithstanding anything in the foregoing sections of this Act, a person convicted of an offence specified in the schedule to this Act, or of any offence which the Local Government, with the previous sanction of the Governor-General in Council, may add to that schedule, may be punished with whipping, either in lieu of, or in addition to, any other punishment to which he may be liable.

"(2) The Local Government may at any time suspend the operation of this section in whole or in part in any district or part of a district, and, with the previous sanction of the Governor-General in Council, remove the suspension of its operation."

"THE SCHEDULE.

(See section 6, sub-section (1).)

Section of Indian Penal Code.	Offence.
302	Murder.
304	Culpable homicide not amounting to murder.
307	Attempt to murder.
325	Voluntarily causing grievous hurt.
326	Voluntarily causing grievous hurt by dangerous weapons or means.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
333	Voluntarily causing grievous hurt to deter public servant from his duty.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt or of restraint, in order to the committing of such theft or to retiring after committing it, or to retaining property taken by it.
386	Extortion by putting a person in fear of death or grievous hurt.

THE THIRD SCHEDULE—*contd.*

Section of Indian Penal Code.	Offence.
387	Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion.
392	Robbery.
393	Attempt to commit robbery.
394	Person voluntarily causing hurt in committing, or attempting to commit, robbery, or any other person jointly concerned in such robbery.
395	Dacoity.
396	Murder in dacoity.
397	Robbery or dacoity, with attempt to cause death or grievous hurt.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.
399	Making preparation to commit dacoity.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.
402	Being one of five or more persons assembled for the purpose of committing dacoity.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.
435	Mischief by fire or explosive substance with intent to cause damage to amount of one hundred rupees

THE THIRD SCHEDULE—*concl'd.*

Section of Indian Penal Code.	Offence.
	or upwards, or, in case of agricultural produce, ten rupees or upwards.
436	Mischief by fire or explosive substance with intent to destroy a house, &c.
440	Mischief committed after preparation made for causing death or hurt, &c.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.
506	Criminal intimidation, if threat be to cause death or grievous hurt, &c. Abetment of any of the foregoing offences. Attempt to commit any of those offences which are not themselves expressed to be attempts to commit offences."

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to declare the law in force in Upper Burma was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886 :—

LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to declare the law in force in Upper Burma

From Secretary to Chief Commissioner, Burma, No. 83—130, dated 4th September, 1886, and enclosures.

From Secretary to Chief Commissioner, Burma, No. 84—130, dated 4th September, 1886, and enclosures.

was referred, have considered the Bill and the papers noted in the margin, and have now the

honour to submit this our Report.

2. We have, in accordance with the advice of the Chief Commissioner, provided in section 1 that certain portions of the Bill shall not come into force at once. It is desirable that sections 6 to 11 of the Bill, as amended by us, should not have effect until the Civil and Criminal Justice Regulations, which have been drawn, and for the most part settled, have been finally proposed by the Chief Commissioner and have received the assent of the Governor-General under the Statute 33 Victoria, chapter 3.

3. Section 3, regarding the division of Upper Burma into divisions, districts, sub-divisions, townships and circles, will serve the purposes of the Regulations which the Chief Commissioner is about to propose.

4. Section 4 has been so modified as to cover, it is believed, the language of all enactments in force in Lower Burma.

5. Section 6 has been so amended as to define more precisely the local area to which the Second Part of the Second Schedule is to apply. The Shan States are excluded from the operation of this and the next following section.

6. Section 7.—(1) The section (7) which it was proposed to add to Act VI of 1864 will be rendered unnecessary by the application to Upper Burma of sections 390 to 395 of the Code of Criminal Procedure by the proposed Criminal Justice Regulation.

(2) It is proposed to amend section 25 of the Indian Evidence Act, 1872, in its application to Upper Burma, because Thugyis and Myothugyis will, besides being police-officers, be local Magistrates and Judges.

(3) The modification of section 10, Act XIX of 1876, will substantially continue the law as it was found in Upper Burma with respect to *pwés* or dramatic entertainments, and as it seems desirable to maintain that law for the present.

7. Section 8 provides that British Indian law shall not extend *proprio vigore* to any of the Shan States.

8. Sections 9, 10 and 11 remain, with slight modifications, as they were in the Bill as introduced.

9. We have added some Acts to the First Part of the Second Schedule. Among them are the Court-fees and Stamp Acts, the Presidency Banks Acts, the Indian Companies Act and the Land Improvement Loans Act. The operation of the Court-fees and Stamp Acts will be limited by notifications to be issued when those Acts come into force. The fact that the Bank of Bengal contemplates the establishment of a branch at Mandalay necessitates the extension of the Presidency Banks Acts. The Indian Companies Act may be required at any time; and the local authorities advise the extension of the Land Improvement Loans Act for the purposes of loans to be made for irrigation-works.

10. The jurisdiction to be conferred on, and the rules to be prescribed for, the Civil Court of Mandalay will render necessary the extension of the Provincial Small Cause Courts Act, XI of 1865, and the Code of Civil Procedure to the Town of Mandalay.

11. Other amendments of the Bill do not call for remark.

12. The publication ordered by the Council has been made as follows:—

		In English.	
Gazette.		Date.	
Gazette of India	14th, 21st and 28th August, 1886.
British Burma Gazette	4th, 11th and 18th September, 1886.

		In the Vernacular.	
Province.		Language.	
		Date.	
Burma	...	Burmese	... 11th and 18th September, 1886.

13. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.

A. COLVIN.

The 20th September, 1886.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information:—

ACT NO. XXI OF 1886.

An Act to declare certain allowances collectively known as Oudh Wasikas to be pensions within the meaning of the Pensions Act, 1871.

WHEREAS, on the death of Her Highness the Bahu Begam, His Highness the Nawab Vazir of Oudh delivered to the British Government a sum of money with intent that the interest accruing thereon should, in compliance with the wishes of Her Highness the Bahu Begam as expressed in a Deed of Deposit executed by her in the year 1813, be applied by the British Government to the payment of certain pensions, which pensions are known as the Amanat Wasikas;

And whereas in the year 1813 the said Government guaranteed the payment of certain pensions to persons connected with the Khás Mahál of Her Highness the Bahu Begam, which pensions are known as the Zamanat Wasikas;

And whereas, in the years 1814, 1825 and 1838, loans, known respectively as the 1st, 3rd

and 6th Oudh loans, were made by the Rulers of Oudh to the Honourable the East India Company with intent that the interest accruing thereon should be applied by the said Government to the payment of certain pensions, which pensions are known as the Loan Wasikas;

And whereas the Amanat, Zamanat and Loan Wasikas have been regarded as pensions to which the Pensions Act, 1871, applies, and rules respecting them have been made and published under section 14 of that Act; XXIII of 1871.

And whereas, since the making and publication of the rules, doubt has been expressed whether the said Wasikas are pensions within the meaning of the Pensions Act, 1871;

And whereas it is expedient to declare them to be pensions within the meaning of that Act;

It is hereby enacted as follows:—

1. This Act may be called the Oudh Wasikas Act, 1886.

2. The allowances respectively known as the Application of Act Amanat Wasikas, the Zamanat Wasikas and the Loan Wasikas are pensions within the meaning of the Pensions Act, 1871, and that Act shall apply to them as if they were pensions of the classes referred to in sections 4 and 11 of that Act. XXIII of 1871.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to declare certain allowances collectively known as Oudh Wasikas to be pensions within the meaning of the Pensions Act, 1871, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886:—

LEGISLATIVE DEPARTMENT.

We, the undersigned, Members of the Select Committee to which the Bill to declare certain allowances collectively known as Oudh Wasikas to be pensions within the meaning of the Pensions Act, 1871, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

From Chief Secretary to Government, North-Western Provinces and Oudh, No. 4251A.—X. F. 42, dated 30th August, 1886, and enclosure [Papers No. 1].

From Messrs. Harries and Simmons, Solicitors, Calcutta, dated 8th September, 1886.

2. The Government of the North-Western Provinces and Oudh having reported that the pensions payable under the Treaty of the year 1829, under which the 5th Oudh loan was made to the Honourable the East India Company, have all been commuted, we have removed section 3 of the Bill as introduced and so much of the preamble as had reference to that section.

3. Exception having been taken to some of the pensions being described as "conferred by a former Government and continued by the British Government on political considerations," we have re-drawn section 2 of the Bill so as to make it clear that the allowances are dealt with as pensions of that nature only for the purpose of barring the Civil Courts from

entertaining suits relating to them and of protecting them from attachment at the instance of creditors.

4. The publication ordered by the Council has been made as follows:—

<i>In English.</i>		<i>Date.</i>
<i>Gazette.</i>		
Gazette of India	...	12th, 19th and 26th June, 1886.
North-Western Provinces and Oudh Government Gazette	...	19th and 26th June, and 3rd July, 1886.

5. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

J. W. QUINTON.

C. P. ILBERT.

A. COLVIN.

The 14th September, 1886.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

SIMLA, SATURDAY, OCTOBER 2, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor-General on the 17th September, 1886, and is hereby promulgated for general information:—

ACT NO. XVII OF 1886.

An Act to annex the Town and Fort of Jhānsi and certain adjacent Territory to the Jhānsi District, and for certain other purposes.

Short title and commencement.

1. (1) This Act may be called the Jhānsi and Morar Act, 1886; and

(2) It shall come into force on a date to be appointed in this behalf by the Lieutenant-Governor of the North-Western Provinces, which date is in this Act referred to as the commencement of this Act.

PART I.

WHEREAS since the beginning of March, 1886, the town and fort of Jhānsi have been ceded to the British Government in full sovereignty by His Highness the Mahārājā Seindia in exchange for the cantonment of Morar which has been ceded to His Highness in full sovereignty by the British Government;

And whereas the town and fort of Jhānsi have been declared by the Governor-General in Council to be subject to the Lieutenant-Governorship of the North-Western Provinces;

And whereas it is proposed that certain lands adjacent to the Jhānsi district should be ceded to the British Government in full sovereignty by His Highness in exchange for certain other lands

to be ceded to His Highness in full sovereignty by the British Government;

And whereas it is expedient that the town and fort of Jhānsi, and the lands to be ceded to the British Government should be annexed to the Jhānsi district, and that the law in force therein should be the same as the law in force in that district;

And whereas it is also expedient that the town and fort, and the lands which may be ceded to the British Government, should, for the purposes of the Scheduled Districts Act, 1874, form part XIV of 1874 of the Jhānsi district;

It is hereby enacted as follows:—

2. The town and fort of Jhānsi, and the lands Annexation of ceded which may be ceded to the lands to Jhānsi district. British Government in accordance with the proposal referred to in the preamble to this Part, shall, in the case of the town and fort, from the commencement of this Act, and, in the case of any of the lands, from the date of the cession thereof, be deemed to be part of the Jhānsi district.

3. All enactments which at the commencement of this Act, or at the date of the cession of any of the lands referred to in the last foregoing section, are or shall be in force in the Jhānsi district and not in the town and fort of Jhānsi or in those lands, shall then come into force in the town and fort or in those lands, as the case may be.

4. On and from the commencement of this Act, Ceded lands to become or the date of the cession of any of those lands, as the case may be, the town and fort of Jhānsi and the lands shall be deemed to form part of the district of Jhānsi mentioned in Part IV of the first schedule to the Scheduled Districts Act, 1874.

XIV of 1874.

5. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed in or with respect to the town and fort of Jhānsī since the beginning of March, 1886, and before the commencement of this Act, by any officer of the Government, or by any person acting under his authority or otherwise in pursuance of an order of the Government, or which have been or shall be ratified by the Lieutenant-Governor of the North-Western Provinces, shall be as valid and operative as if they had been done, taken or passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that any such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

PART II.

And whereas it is expedient that decrees and orders passed by the Civil and Revenue Courts of His Highness in cases which would have been cognizable by the Civil and Revenue Courts of the Jhānsī district under the Code of Civil Procedure or the Jhānsī Courts Act, 1867, or the North-Western Provinces Rent Act, 1881, if the territory ceded by His Highness had been part of the Jhānsī district at the time of the institution of the cases, should be capable of being executed as if they had been made by the Courts of the Jhānsī district;

And whereas the period of limitation prescribed for suits in the territories of His Highness is twelve years, and it is expedient that persons having just claims which, but for the cession of territory, they might have enforced in the Courts of His Highness, should not be debarred from enforcing those claims by reason of a shorter period of limitation being prescribed for any class of suits by the law in force in the Jhānsī district;

And whereas it is expedient that suits pending in the Courts of His Highness and left undetermined by those Courts by reason of cession of territory should be continued in the Courts of the Jhānsī district;

And whereas it is expedient to remove doubts as to the effect of the law in force in the Jhānsī district, with respect to registration and stamps, on documents and instruments to which at the time of their execution the law of His Highness applied and the law of British India did not apply;

It is hereby further enacted as follows:—

6. (1) An application for the execution of a decree or order passed by a Civil or Revenue Court of His Highness in any such case as is referred to in the first clause of the preamble to this Part may, with the previous sanction of the Deputy Commissioner, be made to any Court in the Jhānsī district subordinate to the Court of the Commissioner which may be specified by the Deputy Commissioner in that behalf in his order giving the sanction.

(2) If in any case the Deputy Commissioner is of opinion that for special reasons the sanction ought to be withheld or ought to be granted subject to conditions, he may either withhold his sanction or permit the application to be made on any conditions which in the circumstances he deems it proper to impose; but in

either of those cases he shall record the reasons in writing.

(3) The fact that an application is barred by the Indian Limitation Act, 1877, may be sufficient cause for withholding sanction to the making of the application, but in any case in which the holder of the decree or order has been debarred from enforcing it by reason of the cession of the town and fort of Jhānsī to the British Government, and to which the Deputy Commissioner sees fit to apply the provisions of that Act, the Deputy Commissioner shall, in computing the period of limitation, exclude therefrom the time which has elapsed between the cession of the town and fort and the commencement of this Act.

(4) Subject to revision by the Commissioner of the Jhānsī Division, an order of the Deputy Commissioner sanctioning or refusing to sanction the making of an application under this section, or imposing conditions with respect thereto, shall be final.

7. (1) Notwithstanding anything in the Indian Limitation Act, 1877, or in any other enactment, the Deputy Commissioner may, within such term, not exceeding two years from the commencement of this Act, as the Local Government may prescribe in this behalf, admit any suit of a nature cognizable by the Courts of British India, which, if there had not been a cession of territory and the suit had been instituted in a Court of His Highness having jurisdiction with respect thereto, would not be liable to be dismissed by that Court by reason of its being barred by any law of limitation.

(2) In the computation of the period of limitation for a suit referred to in sub-section (1) which the plaintiff has been debarred from instituting by reason of the cession of the town and fort of Jhānsī to the British Government, there shall be excluded from the period the time which has elapsed between the cession of the town and fort and the commencement of this Act.

(3) Subject to revision by the Commissioner of the Jhānsī Division, an order of the Deputy Commissioner admitting or refusing to admit a suit under sub-section (1) shall be final.

8. An original suit pending in a Court of His Highness and left undetermined by that Court by reason of cession of territory may, be continued, under the law of limitation applicable to that Court but otherwise in accordance with the law and procedure of British Indian Courts, in any Court in the Jhānsī district subordinate to the Court of the Commissioner which the Deputy Commissioner may appoint in that behalf.

9. The provisions of the law of British India with respect to the consequences of documents being unregistered or instruments being unstamped shall not apply to any document or instrument which may have been executed before a date to be prescribed in this behalf by the Local Government, and to which the law of His Highness applied, and the law of British India did not apply, at the time of its execution.

XIV of 1882.
XVIII of 1867.
XII of 1881.

PART III.

And whereas it is expedient that traders and others who were entitled immediately before the cession of the cantonment of Morar to institute certain suits in, or make applications for or with respect to the execution of certain decrees to, a Civil Court at Morar should be enabled to institute those suits in, and make those applications to, the Civil Courts at Jhānsī and Agra, and at any other place from time to time appointed in this behalf by the Governor-General in Council, and that the period of limitation in these cases should be extended ;

It is hereby further enacted as follows :—

10. (1) Any person who at the date of the cession

Suits for debt formerly cognizable in a Morar Court to be cognizable in Courts at certain other places.

of the cantonment of Morar was entitled to institute in a Civil Court at Morar a suit of any of the descriptions referred to in articles 50 to 54

(both inclusive) or articles 56 to 64 (both inclusive) or articles 66 to 75 (both inclusive) of the second schedule to the Indian Limitation Act, 1877, or to make to any such Court an application for or with respect to the execution of a decree in any

such suit, may institute the suit or make the application in any Civil Court at Jhānsī or Agra, or other place appointed in that behalf by the Governor-General in Council, which would have jurisdiction in the suit to be instituted, or, as the case may be, would have had jurisdiction in the suit in which the decree to be executed was passed, if the cause of action had arisen within the local limits of its jurisdiction.

(2) Notwithstanding anything in any enactment or notification to the contrary, any Civil Court at Jhānsī or Agra, or other place aforesaid, in which any such suit or application as is referred to in sub-section (1) is instituted or made shall, subject to the provisions of that sub-section, have jurisdiction to dispose of it.

(3) In computing the period of limitation for any suit or application referred to in this section, the time which has elapsed between the date of the cession of the cantonment of Morar and the commencement of this Act shall be excluded.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information :—

ACT NO. XVIII OF 1886.

An Act to amend Act XXXVI of 1858.

WHEREAS it is expedient to amend Act XXXVI of 1858 (*an Act relating to Lunatic Asylums*); It is hereby enacted as follows :—

New section inserted
after section 6.

1. After section 6 the following shall be inserted, namely :—

“6 A. (1) Where a person found wandering at large who is deemed to be a lunatic, or where a person believed to be dangerous by reason of lunacy, is apprehended and sent to the Magistrate or the Commissioner of Police, or where, on report or information that a person deemed to be a lunatic is not under proper care and control or is cruelly treated or neglected, the Magistrate or the Commissioner of Police sends for him and then determines to proceed as prescribed in section 4 of this Act, the Magistrate or the Commissioner of Police, on the request of the medical officer, may, by order in writing, authorise the detention of the supposed lunatic for such time, not exceeding ten days, as, in the opinion of the Magistrate or the Commissioner of Police, may be necessary to enable the medical officer to form an opinion on the question whether or not the supposed lunatic is a person with respect to whom a certificate in the form A in the schedule to this Act ought to be signed.

“(2) If the medical officer certifies further detention than has been authorised under subsection (1) to be necessary to enable him to form his opinion on that question, the Magistrate or

the Commissioner of Police may from time to time, by order in writing, authorise such further detention as he deems to be necessary :

“Provided that a supposed lunatic shall not be detained for the purpose of this section for a longer time than fourteen days from the date on which the first order authorising his detention for that purpose is made.

“(3) The Executive Government may from time to time make rules as to the place of detention, and the care and treatment, of supposed lunatics detained under this section.”

2. To section 9 the words “Subject to the provisions of any enactment for the time being in force,” shall be prefixed.

New sections to follow
section 17.

3. After section 17 the following shall be inserted, namely :—

“17A. When an Executive Government has not established within its limits a public asylum for the reception and detention of lunatics under this Act, the Governor-General in Council may from time to time appoint an asylum established in British India beyond those limits to be an asylum to which a Magistrate or Judge exercising jurisdiction within those limits may send lunatics as to an asylum established under this Act for the division in which his jurisdiction is situate.

“17B. The Governor-General in Council may from time to time, by order, direct, with respect to any part of British India which is not annexed to a presidency or, being annexed to the presidency of Fort William, Fort Saint George or Bombay, is situated at a greater distance than three hundred miles from Calcutta, Madras or Bombay, respectively, that any lunatic asylum in British India named in the order shall be deemed for that part to be a lunatic asylum at the presidency for the purposes of this Act.”

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to amend Act XXXVI of 1858 was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886 :—

LEGISLATIVE DEPARTMENT.

We, the undersigned, Members of the Select Committee to which the Bill to amend Act XXXVI of 1858 was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. The Bill as introduced was approved by the authorities to whom it was referred, but further amendments of the Act were proposed by the Governments of Bengal and the Punjab.

From Officiating Assistant Secretary to Chief Commissioner, Central Provinces, No. 182—9, dated 21st January, 1886 [Paper No. 1].

From Secretary for Herar to Resident, Hyderabad, No. 14G., dated 19th January, 1886 [Paper No. 2].

From Secretary to Chief Commissioner, Assam, No. 224, dated 27th January, 1886 [Paper No. 3].

From Officiating Secretary to Chief Commissioner, British Burma, No. 534—4L., dated 29th January, 1886 [Paper No. 4].

From Chief Commissioner, Ajmer-Merwara, No. 294C., dated 3rd February, 1886 [Paper No. 5].

From Under-Secretary to Government, Bombay, No. 522, dated 9th February, 1886, and enclosures [Papers No. 6].

From Acting Chief Secretary to Government, Madras, No. 355, dated 9th February, 1886, and enclosures [Papers No. 7].

From Secretary to Government, North-Western Provinces and Oudh, No. 384—VI-590-6, dated 19th February, 1886, and enclosure [Papers No. 8].

From Registrar, High Court, Calcutta, No. 502, dated 23rd February, 1886 [Paper No. 9].

From Secretary to Chief Commissioner, Coorg, No. 283—12, dated 1st March, 1886 [Paper No. 10].

From Officiating Secretary to Government, Bengal, No. 1604, dated 1st April, 1886 [Paper No. 11].

From Secretary to Government, Punjab, No. 319, dated 19th March, 1886, and enclosures [Papers No. 12].

3. The former Government drew attention to the absence of any provision authorising the detention of supposed lunatics for observation, and the latter to the inconvenience ensuing from the provision which requires lunatics who are not natives of the country to be sent in all cases to an asylum at the presidency.

4. It appeared to us that express provision ought to be made for the detention of supposed lunatics. As a matter of practice they are detained, for in many cases the medical officer is not in a position to form an opinion on the question whether or not a person is a lunatic until he has had the person under observation for some days. The detention is probably legal where it is authorised by the Magistrate (I. L. R. 9 Cal. 341), but it is desirable that there should be no room for doubt as to the legality of a practice which is in fact absolutely necessary. We considered it desirable, however, before submitting our Report, to consult Local Governments, and we therefore circulated a draft clause proposing, in accordance with the advice of the Surgeon-General, a period of ten days as the maximum term of detention for purposes of observation. We have now, after considering the replies to our circular, proposed to extend the term to fourteen days, and to authorise Local Governments to make rules as to the place of detention, and the care and treatment, of supposed lunatics.

5. The proposal of the Punjab Government with respect to the establishment of asylums at other places than the presidency-towns for lunatics who are not natives of the country was referred by us to other Local Governments, and has been approved by them. We have provided, therefore, that the Governor-General in Council may, with respect to any part of British India which is not annexed to a presidency, or is more than three hundred miles from a presidency-town, direct that any lunatic asylum named in the order shall be deemed for that part to be a lunatic asylum at the presidency for the purposes of the Act.

6. Section 9 of the Act empowers the visitors of a lunatic asylum to order the discharge of any person detained in the asylum. As the Code of Criminal Procedure, 1882, and the Prisoners Act, 1871, reserve that power in certain cases to other authorities, we have proposed to prefix to that section an express saving of the provisions of other enactments.

7. The publication ordered by the Council has been made as follows :—

In English.

<i>Gazette.</i>	<i>Date.</i>
Gazette of India	26th December, 1885, and 2nd and 9th January, 1886.
Fort Saint George Gazette	13th January, 1886.
Bombay Government Gazette	7th, 14th and 21st January, 1886.
Calcutta Gazette	6th January, 1886.
North-Western Provinces and Oudh Government Gazette	2nd, 9th and 16th January, 1886.
Punjab Government Gazette	7th, 14th and 21st January, 1886.
Central Provinces Gazette	2nd, 9th and 16th January, 1886.
British Burma Gazette	16th, 23rd and 30th January, 1886.
Assam Gazette	16th, 23rd and 30th January, 1886.
Coorg District Gazette	1st February, 1886.
Sindh Official Gazette	4th February, 1886.

In the Vernaculars.

<i>Province.</i>		<i>Language.</i>		<i>Date.</i>
Bombay	...	Maráthi	...	25th January, 1886.
		Gujaráthi	...	26th January, 1886.
		Kanarese	...	27th January, 1886.
		Sindhi	...	11th February, 1886.
Bengal	...	Bengali	...	26th January, 1886.
		Hindi	...	26th January, 1886.
		Uriya	...	4th February, 1886.

8. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.

S. C. BAYLEY.

J. W. QUINTON.

The 10th September, 1886.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information:—

ACT NO. XIX OF 1886.

An Act to legalize the discharge by the Lieutenant-Governor of the North-Western Provinces of certain functions of the Governor-General in Council.

WHEREAS certain functions which are by enactments in force in the North-Western Provinces assigned to the Governor-General in Council are in practice discharged by the Lieutenant-Governor of those Provinces, and it is expedient that these functions should continue to be so discharged, and that their discharge in the past should be legalized;

And whereas the functions assigned to the Governor-General in Council by Regulation LII of 1803 (*for establishing a Court of Wards in the Provinces ceded by the Nawab Fāzīr to the Honourable the English East India Company*), which Regulation was extended to the Conquered Provinces by section 29, Regulation VIII, 1805, and to the Province of Benares by section 2, Regulation VI, 1822, were up to the twenty-second day of December, 1873, discharged by the Lieutenant-Governor of the North-Western Provinces, and it is expedient that their discharge by the said Lieutenant-Governor up to that date should be validated;

It is hereby enacted as follows:—

1. The sections of the enactments in the schedule to this Act which are specified in the third column of that schedule shall have effect, and, so far as may be necessary to validate anything heretofore done under them by the Lieutenant-Governor of the North-Western Provinces, shall be deemed to have had effect as if the Lieutenant-Governor of the

North-Western Provinces were therein referred to instead of the Governor-General in Council.

2. Sections 3, 7, 9 and 17 of Regulation LII of 1803 shall be deemed to have had effect in the North-Western Provinces as if the words "or the Lieutenant-Governor of the North-Western Provinces" had been inserted in those sections after the words "Governor-General in Council" wherever the latter words occur.

THE SCHEDULE.

(See section 1.)

(a) Bengal Regulations.

Number and year.	Subject.	Sections.
1	2	3
V of 1799	To limit the interference of the Zilā and City Courts of Diwānī Adālat in the execution of wills and administration to the estates of persons dying intestate.	7
IX of 1833.	For (among other matters) the more extensive employment by Native agency in the Revenue Department.	16, 17 & 25.

(b) Act of the Governor-General in Council.

Number and year.	Subject.	Section.
XII of 1858.	To amend the law respecting the employment of amins by the Civil Courts in the Presidency of Fort William.	2

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to legalize the discharge by the Lieutenant-Governor of the North-Western Provinces of certain functions of the Governor-General in Council was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886 :—

LEGISLATIVE DEPARTMENT.

WE, the undersigned, Members of the Select Committee to which the Bill to legalize the discharge by the Lieutenant-Governor of the North-Western Provinces of certain functions of the Governor-General in Council was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

From Officiating Secretary to Chief Commissioner, British Burma, No. 574—17L., dated 19th September, 1884, and enclosure [Papers No. 1].
 From Officiating Secretary to Chief Commissioner, Assam, No. 1520, dated 20th September, 1884 [Paper No. 2].
 From Officiating Secretary to Government, Panjab, No. 572S., dated 29th September, 1884, and enclosures [Papers No. 3].
 From Chief Commissioner, Ajmer-Merwara, No. 841, dated 3rd October, 1884 [Paper No. 4].
 From Secretary to Chief Commissioner, Central Provinces, No. 36C., dated 26th October, 1884, and enclosure [Papers No. 5].
 From Secretary to Government, North-Western Provinces and Oudh, No. 121—XIII-10-5, dated 8th August, 1884, and enclosures [Papers No. 6].

2. We have removed Regulation LII of 1800 from the schedule to the Bill, because the Mirzapur Stone Mahál Act, 1886, seems to us to render its retention unnecessary.

3. We have proposed in an additional section to validate the exercise by the Lieutenant-Governor of the North-Western Provinces of the powers of the Governor-General in Council under Regulation LII of 1803 which the Lieutenant-Governor seems to have exercised without question throughout the forty years which elapsed between the constitution of his office and the repeal of the Regulation. When the Bill was under consideration some two years ago, the interests of the parties to a suit then pending might have been affected by the validation of the exercise of these powers, and it was therefore decided that our Report should be delayed till the suit had been disposed of. There is now, so far as we are aware, no litigation before any Court which can be influenced in any way by the enactment of the section which we propose to add to the Bill.

4. The publication ordered by the Council has been made as follows :—

<i>In English.</i>			<i>Date.</i>
<i>Gazette.</i>			
Gazette of India	...	...	23rd and 30th August, and 6th September, 1884.
North-Western Provinces and Oudh	...	...	30th August, and 6th and 13th September, 1884.
Government Gazette	...	...
<i>In the Vernacular.</i>			<i>Date.</i>
<i>Province.</i>	<i>Language.</i>		
North-Western Provinces and Oudh	Urdu	...	20th and 27th September, and 4th October, 1884.

5. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.
 J. W. QUINTON.

The 14th September, 1886.

S. HARVEY JAMES,
Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information :—

ACT NO. XX OF 1886.

An Act to declare the law in force in Upper Burma.

WHEREAS the territories which were formerly governed by King Thebaw have become part of British India;

And whereas it is expedient to declare the law in force in those territories, and for this purpose to distinguish between those territories and the territories which were under the administration of the Chief Commissioner of British Burma on the thirty-first day of December, 1885;

It is hereby enacted as follows :—

1. (1) This Act may be called the Upper Burma Laws Act, 1886.

Short title and commencement.

(2) This section and sections 2, 3, 4 and 5 shall come into force at once, and the rest of the Act shall come into force on such date (hereinafter called the commencement of this Act), within four months from the passing of the Act, as the Local Government may, by notification in the official Gazette, appoint in this behalf.

2. (1) The following territories shall constitute a province to be known as Burma, namely :—

Constitution of Province of Burma.

(a) the territories formerly governed by King Thebaw, which shall be known as "Upper Burma"; and

(b) the territories administered by the Chief Commissioner of British Burma on the thirty-first day of December, 1885, which shall be known as "Lower Burma."

(2) The Local Government, with the previous sanction of the Governor-General in Council, may from time to time, by notification in the official Gazette, transfer any portion of Upper Burma to Lower Burma, or any portion of Lower Burma to Upper Burma, with effect from a date to be specified in the notification, and on and from that date the portion so transferred shall form

part of Lower Burma or Upper Burma, as the case may be.

(3) When any portion of Upper Burma is transferred to Lower Burma, the Scheduled Districts Act, 1874, shall, unless the Governor-General in Council otherwise directs, continue to be in force therein. XIV of 1874.

(4) When any portion of Lower Burma is transferred to Upper Burma, the Governor-General in Council may direct that that Act shall come into force therein.

3. The Local Government may, for administrative purposes,—

Division of Upper Burma into divisions, districts, sub-divisions, townships and circles.

(a) with the previous sanction of the Governor-General in Council, divide Upper Burma into divisions, and each of those divisions into districts, and from time to time vary the limits of those divisions and districts; and

(b) of its own authority, divide each of those districts into sub-divisions, each of those sub-divisions into townships, and each of those townships into circles, and from time to time vary the limits of those sub-divisions, townships and circles.

4. Where in any enactment in force at the passing of this Act in the territories referred to in section 2, sub-section (1), clause (b), there occurs the expression "British Burma Gazette", or the expression "British Burma" or "Burma" (except where the expression "Burma" occurs in the Petroleum Act, 1886, section 3), it shall be construed as referring to the Burma Gazette or to Lower Burma, as the case may be. XII of 1886.

5. The enactments specified in the first schedule to this Act, having been rendered unnecessary by the incorporation of Upper Burma in British India, are repealed to the extent mentioned in the third column of the schedule.

6. (1) Subject to the provisions of any Regulation under the Statute 33 of Victoria, chapter 3, so much of each of the enactments specified in the second schedule to this Act as is at the commencement of this Act in force in any part of Lower Burma which is not included in a scheduled district as defined in the Scheduled Districts Act, 1874, shall be deemed to be in force in Upper Burma generally, or in the Town of Mandalay only, according as the enactment is specified in the First or Second Part of the schedule. XIV of 1874.

(2) An enactment not specified in that schedule shall not be deemed to be or to have been in force in Upper Burma or in any part of Upper Burma unless it is expressed, by special mention of Upper Burma or a part of Upper Burma, to extend thereto, or after the commencement of this Act is extended thereto in exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874, or by any other enactment for the time being in force.

(3) The Local Government may, from time to time, with the previous sanction of the Governor-General in Council, by notification in the official Gazette, declare that any enactment which is specified in that schedule or which may hereafter be extended in exercise of any such powers as aforesaid, shall no longer be in force in Upper Burma or in any part of Upper Burma specified in the notification.

(4) The limits of the Town of Mandalay for the purposes of this Act shall be the limits for the time being of the local area subject to the ordinary original jurisdiction of the Civil Court of Mandalay.

(5) This section does not extend to the Shan States.

7. (1) The following enactments specified in the First Part of the second schedule to this Act shall, in Upper Burma exclusive of the Shan States, be read subject to the following modifications, namely:—

(a) in Act VIII of 1851 (*an Act for enabling Government to levy Tolls on Public Roads and Bridges*), for the last sixteen words of section 4, the words "or of any person or property exempted by order of the Local Government from payment of tolls" shall be substituted;

(b) in Act V of 1861 (*an Act for the Regulation of Police*), to section 2 the words "All Thugyis and Myothugyis for the time being holding office shall be police-officers, and shall be deemed to have been formally enrolled under this Act" shall be added;

(c) in Act VI of 1864 (*an Act to authorise the punishment of whipping in certain cases*), after section 5 the section and schedule in the third schedule to this Act shall be added;

(d) in the Indian Evidence Act, 1872, after the words "police officer" in section 25 the words "who is not a Magistrate" shall be inserted;

(e) in the Dramatic Performances Act, 1876, the words "within such area" shall be omitted from the third paragraph of section 10, and for the first two paragraphs of that section the following shall be substituted, namely:—

"No dramatic performance shall take place except under a license granted by the District Magistrate or such officer as the District Magistrate may appoint in this behalf.

"Any person who promotes or takes part in any dramatic performance in contravention of the foregoing portion of this section

shall be punishable, on conviction before a Magistrate, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both."

(2) This section does not extend to the Shan States.

8. (1) The Local Government, with the previous sanction of the Governor-General in Council, may, by notification in the official Gazette, from time to time extend to all or any of the Shan States any enactment which is in force in any part of Upper Burma at the date of the extension, and at any time withdraw all or any of those States from the operation of any enactment so extended.

(2) Unless and until extended under sub-section (1), an Act of the Governor-General in Council shall not be in force in any Shan State.

(3) The Local Government, with the previous sanction of the Governor-General in Council, may from time to time, by notification in the official Gazette, declare what territories constitute the Shan States for the purposes of this and the two last foregoing sections.

9. For the purpose of facilitating the application of any enactment for the time being in force in Upper Burma, any Court in Upper Burma may construe the enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court.

10. All acts of executive authority, proceedings, decrees and sentences, which have been done, taken or passed in Upper Burma since the seventeenth day of November, 1885, and before the commencement of this Act, by any officer of the Government, or by any person acting under his authority or otherwise in pursuance of an order of the Government, or which have been or shall be ratified by the Local Government, shall be as valid and operative as if they had been done, taken or passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that any such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

11. All rules, orders or instructions made or issued after the seventeenth day of November, 1885, and before the commencement of this Act, for the guidance of officers engaged in the administration of Upper Burma shall be deemed to have had the force of law, and shall, so far as they are consistent with this Act, continue to have the force of law until they are withdrawn, or are superseded by any Act of the Governor-General in Council, or by any Regulation under the Statute 33 Victoria, chapter 3, or by any enactment extended to Upper Burma, or by any rules, orders or instructions made or issued under any such Act, Regulation or enactment.

1 of 1872.

XIX of 1876.

THE FIRST SCHEDULE.

(See section 5.)

ENACTMENTS REPEALED.

Number and year.	Subject.	Extent of repeal.
1	2	3
Act XXX of 1854.	An Act to provide for the levy of Duties of Customs in the Arakan, Pegu, Martaban and Tenasserim Provinces.	So much as has not been repealed.
Act IV of 1863.	An Act to give effect to certain provisions of a Treaty between His Excellency the Earl of Elgin and Kincardine, Viceroy and Governor-General of India, and His Majesty the King of Burma.	So much as has not been repealed.
Act XII of 1864.	An Act to give further effect to the provisions of Act IV of 1863.	So much as has not been repealed.
Act XXIII of 1872.	An Act for regulating the re-importation into British territory of goods cleared at Rangoon for the territory of the King of Ava.	The whole.

THE SECOND SCHEDULE.

(See section 6.)

FIRST PART.

Enactments declared in force in Upper Burma generally.

Number and year.	Subject.
BENGAL REGULATIONS.	
XI of 1812	Removal of Foreign Emigrants.
III of 1818	State Prisoners.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.	
IV of 1843	Slavery.
XVIII of 1850	Protection of Judicial Officers.
XIX of 1850	Apprentices.
XXXIV of 1850	State Prisoners.

THE SECOND SCHEDULE—contd.

FIRST PART—contd.

Enactments declared in force in Upper Burma generally—contd.

Number and year.	Subject.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL—contd.	
XXXVII of 1850	Inquiries into behaviour of Public Servants.
VIII of 1851	Tolls on Roads and Bridges.
XXX of 1852	Naturalization of Aliens.
II of 1853	Burdens on Land.
XII of 1855	Executors and Administrators.
XIII of 1855	Compensation for death caused by actionable wrong.
XXIV of 1855	Penal Servitude.
XI of 1857	State Offences.
III of 1858 (s. 5)	State Prisoners.
XXXV of 1858	Lunatics.
XXXVI of 1858	Lunatic Asylums.
IX of 1859 (except s. 18, last para.)	Forfeited Property.
XV of 1859	Inventions.
IX of 1860	Disputes between Workmen and Employers.
XXVII of 1860	Collection of Debts on Successions.
XLV of 1860	Penal Code.
V of 1861	Police.
III of 1864	Foreigners.
VI of 1864 (except s. 6).	Whipping.
III of 1865	Carriers.
X of 1865	Succession.
XIV of 1866	Post Office.
III of 1867	Public Gambling.
XXV of 1867	Printing-Presses and Newspapers.
XXXII of 1867	Chief Commissioners' Powers.
I of 1868	General Clauses.
IV of 1869	Divorce.
V of 1869	Indian Articles of War.
XV of 1869	Prisoners' Testimony.
XX of 1869	Volunteers.
VII of 1870	Court-fees.
XX of 1870	Court-fees Act Amendment.
XXIII of 1870	Coinage.
XXVI of 1870	Prisons.
XXVII of 1870	Penal Code Amendment.
I of 1871	Cattle-trespass.
V of 1871	Prisoners.
XXIII of 1871	Pensions.
I of 1872	Evidence.
XIII of 1872	Patterns and Designs.
XV of 1872	Christian Marriage.
XVIII of 1872	Evidence Act Amendment.
XIX of 1872	Penal Code Amendment.
II of 1873	Burma Ferries.

THE SECOND SCHEDULE—*concl'd.*FIRST PART—*concl'd.*

Enactments declared in force in Upper Burma generally—concl'd.

Number and year.	Subject.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL— <i>concl'd.</i>	
X of 1873 ...	Oaths.
XIV of 1873 ...	Lunatic Soldiers.
IV of 1874 ...	Foreign Recruiting.
IX of 1874 ...	European Vagrancy.
XIV of 1874 ...	Scheduled Districts.
V of 1875 ...	Native Soldiers.
IX of 1875 ...	Majority.
XIII of 1875 ...	Probates.
XI of 1876 ...	Presidency Banks.
XIX of 1876 (except s. 12).	Dramatic Performances.
I of 1877 (s. 9) ...	Specific Relief.
II of 1877 ...	Probates.
XI of 1877 ...	Military Lunatics.
XV of 1877 ...	Limitation.
VI of 1878 ...	Treasure Trove.
XI of 1878 ...	Arms.
I of 1879 ...	Stamps.
III of 1879 (ss. 2, 4 and 8).	Destruction of Records.
IV of 1879 ...	Railways.
V of 1879 ...	Presidency Banks Act Amendment.
XXI of 1879 ...	Extradition.
III of 1880 ...	Cantonments.
V of 1881 (s. 153) ...	Probate and Administration.
III of 1882 (s. 3) ...	Seditious Publications.
VI of 1882 ...	Companies.
VIII of 1882 ...	Penal Code Amendment.
IX of 1882 ...	Prisoners Act Amendment.
XX of 1882 ...	Paper Currency.
IV of 1883 ...	Railways.
XIX of 1883 ...	Land Improvement Loans.
XVI of 1884 ...	Burma Gaming.
XIII of 1885 ...	Telegraphs.
X of 1886 (ss. 21-25, both inclusive).	Penal Code and Prisoners' Act Amendment.
XIII of 1886 ...	Securities.

SECOND PART.

Enactments declared in force in the Town of Mandalay only.

Number and year.	Subject.
ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.	
XI of 1865 ...	Mufassal Small Cause Courts.
IX of 1872 ...	Contracts.
I of 1877 ...	Specific Relief.
V of 1881 ...	Probate and Administration.
XXVI of 1891 ...	Negotiable Instruments.
XIV of 1882 ...	Code of Civil Procedure.
II of 1885 ...	Negotiable Instruments Act Amendment.
IV of 1886 ...	Contract Act Amendment.

THE THIRD SCHEDULE.

(See section 7, sub-section (1), cl. (c).)

ADDITION TO ACT VI OF 1864.

"6. (1) Notwithstanding anything in the foregoing sections of this Act, a person convicted of an offence specified in the schedule to this Act, or of any offence which the Local Government, with the previous sanction of the Governor-General in Council, may add to that schedule, may be punished with whipping, either in lieu of, or in addition to, any other punishment to which he may be liable.

"(2) The Local Government may at any time suspend the operation of this section in whole or in part in any district or part of a district, and, with the previous sanction of the Governor-General in Council, remove the suspension of its operation."

"THE SCHEDULES.

(See section 6, sub-section (1).)

Section of Indian Penal Code.	Offence.
302	Murder.
304	Culpable homicide not amounting to murder.
307	Attempt to murder.
323	Voluntarily causing grievous hurt.
326	Voluntarily causing grievous hurt by dangerous weapons or means.
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.
333	Voluntarily causing grievous hurt to deter public servant from his duty.
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt or of restraint, in order to the committing of such theft or to retaining property taken by it.
386	Extortion by putting a person in fear of death or grievous hurt.

THE THIRD SCHEDULE—*concl'd.*

Section of Indian Penal Code.	Offence.
387	Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion.
392	Robbery.
393	Attempt to commit robbery.
394	Person voluntarily causing hurt in committing, or attempting to commit, robbery, or any other person jointly concerned in such robbery.
395	Dacoity.
396	Murder in dacoity.
397	Robbery or dacoity, with attempt to cause death or grievous hurt.
398	Attempt to commit robbery or dacoity when armed with deadly weapon.
399	Making preparation to commit dacoity.
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.
402	Being one of five or more persons assembled for the purpose of committing dacoity.
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.
435	Mischief by fire or explosive substance with intent to cause damage to amount of one hundred rupees

THE THIRD SCHEDULE—*concl'd.*

Section of Indian Penal Code.	Offence.
436	or upwards, or, in case of agricultural produce, ten rupees or upwards.
436	Mischief by fire or explosive substance with intent to destroy a house, &c.
440	Mischief committed after preparation made for causing death or hurt, &c.
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, &c.
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, &c.
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, &c.
506	Criminal intimidation, if threat be to cause death or grievous hurt, &c.
	Abetment of any of the foregoing offences.
	Attempt to commit any of those offences which are not themselves expressed to be attempts to commit offences."

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to declare the law in force in Upper Burma was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886:—

LEGISLATIVE DEPARTMENT.

We, the undersigned, Members of the Select Committee to which the Bill to declare the law in force in Upper Burma was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

From Secretary to Chief Commissioner, Burma, No. 83—130, dated 4th September, 1886, and enclosures.

From Secretary to Chief Commissioner, Burma, No. 84—130, dated 4th September, 1886, and enclosures.

2. We have, in accordance with the advice of the Chief Commissioner, provided in section 1 that certain portions of the Bill shall not come into force at once. It is desirable that sections 6 to 11 of the Bill, as amended by us, should not have effect until the Civil and Criminal Justice Regulations, which have been drawn, and for the most part settled, have been finally proposed by the Chief Commissioner and have received the assent of the Governor-General under the Statute 33 Victoria, chapter 3.

3. Section 3, regarding the division of Upper Burma into divisions, districts, sub-divisions, townships and circles, will serve the purposes of the Regulations which the Chief Commissioner is about to propose.

4. Section 4 has been so modified as to cover, it is believed, the language of all enactments in force in Lower Burma.

5. Section 6 has been so amended as to define more precisely the local area to which the Second Part of the Second Schedule is to apply. The Shan States are excluded from the operation of this and the next following section.

6. *Section 7.*—(1) The section (7) which it was proposed to add to Act VI of 1864 will be rendered unnecessary by the application to Upper Burma of sections 390 to 395 of the Code of Criminal Procedure by the proposed Criminal Justice Regulation.

(2) It is proposed to amend section 25 of the Indian Evidence Act, 1872, in its application to Upper Burma, because Thugyis and Myothugyis will, besides being police-officers, be local Magistrates and Judges.

(3) The modification of section 10, Act XIX of 1876, will substantially continue the law as it was found in Upper Burma with respect to *pwees* or dramatic entertainments, and as it seems desirable to maintain that law for the present.

7. Section 8 provides that British Indian law shall not extend *proprio vigore* to any of the Shan States.

8. Sections 9, 10 and 11 remain, with slight modifications, as they were in the Bill as introduced.

9. We have added some Acts to the First Part of the Second Schedule. Among them are the Court-fees and Stamp Acts, the Presidency Banks Acts, the Indian Companies Act and the Land Improvement Loans Act. The operation of the Court-fees and Stamp Acts will be limited by notifications to be issued when those Acts come into force. The fact that the Bank of Bengal contemplates the establishment of a branch at Mandalay necessitates the extension of the Presidency Banks Acts. The Indian Companies Act may be required at any time; and the local authorities advise the extension of the Land Improvement Loans Act for the purposes of loans to be made for irrigation-works.

10. The jurisdiction to be conferred on, and the rules to be prescribed for, the Civil Court of Mandalay will render necessary the extension of the Provincial Small Cause Courts Act, XI of 1865, and the Code of Civil Procedure to the Town of Mandalay.

11. Other amendments of the Bill do not call for remark.

12. The publication ordered by the Council has been made as follows:—

In English.

<i>Gazette.</i>	<i>Date.</i>
Gazette of India	14th, 21st and 28th August, 1886.
British Burma Gazette	4th, 11th and 18th September, 1886.

In the Vernacular.

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Burma	Burmese	11th and 18th September, 1886.

13. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.

A. COLVIN.

The 20th September, 1886.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 24th September, 1886, and is hereby promulgated for general information:—

ACT NO. XXI OF 1886.

An Act to declare certain allowances collectively known as Oudh Wasikas to be pensions within the meaning of the Pensions Act, 1871.

WHEREAS, on the death of Her Highness the Bahu Begam, His Highness the Nawab Vazir of Oudh delivered to the British Government a sum of money with intent that the interest accruing thereon should, in compliance with the wishes of Her Highness the Bahu Begam as expressed in a Deed of Deposit executed by her in the year 1813, be applied by the British Government to the payment of certain pensions, which pensions are known as the Amanat Wasikas;

And whereas in the year 1813 the said Government guaranteed the payment of certain pensions to persons connected with the Khás Mahál of Her Highness the Bahu Begam, which pensions are known as the Zamanat Wasikas;

And whereas, in the years 1814, 1825 and 1838, loans, known respectively as the 1st, 3rd

and 6th Oudh loans, were made by the Rulers of Oudh to the Honourable the East India Company with intent that the interest accruing thereon should be applied by the said Government to the payment of certain pensions, which pensions are known as the Loan Wasikas;

And whereas the Amanat, Zamanat and Loan Wasikas have been regarded as pensions to which the Pensions Act, 1871, applies, and rules respecting them have been made and published under section 14 of that Act;

And whereas, since the making and publication of the rules, doubt has been expressed whether the said Wasikas are pensions within the meaning of the Pensions Act, 1871;

And whereas it is expedient to declare them to be pensions within the meaning of that Act;

It is hereby enacted as follows:—

1. This Act may be called the Oudh Wasikas Act, 1886.

2. The allowances respectively known as the Amanat Wasikas, the Zamanat Wasikas and the Loan Wasikas are pensions within the meaning of the Pensions Act, 1871, and that Act shall apply to them as if they were pensions of the classes referred to in sections 4 and 11 of that Act.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

The following Report of the Select Committee on the Bill to declare certain allowances collectively known as Oudh Wasikas to be pensions within the meaning of the Pensions Act, 1871, was presented to the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 15th September, 1886:—

LEGISLATIVE DEPARTMENT.

We, the undersigned, Members of the Select Committee to which the Bill to declare certain allowances collectively known as Oudh Wasikas to be pensions within the meaning of the Pensions Act, 1871, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

From Chief Secretary to Government, North-Western Provinces and Oudh, No. 4281A.—X.—F. 42, dated 30th August, 1886, and enclosure (Papers No. 1).

From Messrs. Harries and Simmons, Solicitors, Calcutta, dated 8th September, 1886.

2. The Government of the North-Western Provinces and Oudh having reported that the pensions payable under the Treaty of the year 1829, under which the 5th Oudh loan was made to the Honourable the East India Company, have all been commuted, we have removed section 3 of the Bill as introduced and so much of the preamble as had reference to that section.

3. Exception having been taken to some of the pensions being described as "conferred by a former Government and continued by the British Government on political considerations," we have re-drawn section 2 of the Bill so as to make it clear that the allowances are dealt with as pensions of that nature only for the purpose of barring the Civil Courts from

entertaining suits relating to them and of protecting them from attachment at the instance of creditors.

4. The publication ordered by the Council has been made as follows:—

<i>In English.</i>			<i>Date.</i>
<i>Gazette.</i>			
Gazette of India	...	...	12th, 19th and 26th June, 1886.
North-Western Provinces and Oudh Government Gazette	...	...	19th and 26th June, and 3rd July, 1886.

5. We do not think that the measure has been so altered as to require re-publication and we recommend that it be passed as now amended.

J. W. QUINTON.

C. P. ILBERT.

A. COLVIN.

The 14th September, 1886.

S. HARVEY JAMES,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First publication.]

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 1st October, 1886, and is hereby promulgated for general information :—

ACT NO. XXII OF 1886.

THE OUDH RENT ACT, 1886.

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An Act to consolidate and amend the law relating to Rent in Oudh.

WHEREAS it is expedient to consolidate and amend the law relating to rent in Oudh and to other matters connected therewith; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (1) This Act may be called the Oudh Rent Act, 1886.

(2) Save as provided thereby, it shall extend to the territories for the time being comprised in the Province of Oudh; and

(3) It shall come into force on the first day of January, 1887.

(4) Any power conferred by this Act on the Chief Commissioner to make rules, or to issue orders, may be exercised at any time after the passing of this Act; but a rule or order so made or issued shall not take effect until the Act comes into force.

The Oudh Rent Act, 1886.

(Chapter I.—Preliminary.—Sections 24.—Chapter II.—Of certain Rights and Liabilities of Landlords, Under-proprietors and Tenants.—Section 5.)

2. (1) The Oudh Rent Act, XIX of 1868, is hereby repealed, but all notifications published and rules made under that Act shall, so far as may be, be deemed to have been published and made under this Act.

(2) The following enactments also are hereby repealed, namely:—

(a) section 40 of the Oudh Civil Courts Act, XXXII of 1871;

(b) sections 23 and 24 of the Oudh Laws Act, XVIII of 1876; and

(c) section 1 of Act XIV of 1878.

(3) Any enactment or document referring to any enactment hereby repealed shall be construed to refer to this Act or to the corresponding portion thereof.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) "Court" means any judicial officer presiding in a Court of Revenue for the disposal of matters under this Act:

(2) "suit" means a suit under this Act:

(3) "land" includes the ungathered produce of land, whether spontaneous or not, and whether growing in earth or in water, but shall not include land for the time being occupied by dwelling-houses or manufactories, or appurtenant thereto, so long as that land is not let to agricultural tenants:

(4) "revenue" means money payable to the Government on account of land: in sections 34 and 35 it means land-revenue only:

(5) "rent" means the money, or the portion of the produce of land, payable on account of the use or occupation of land, or on account of any right in land, or on account of the use of water for irrigation:

(6) "proprietor" does not include an under-proprietor; and where there are two private rights of property, one superior and the other subordinate, in the same land, "proprietor" means the holder of the superior right only:

(7) "proprietary right" means a proprietor's right in land:

(8) "under-proprietor" means any person possessing a heritable and transferable right of property in land for which he is liable to pay rent:

(9) "under-proprietary right" means an under-proprietor's right in land:

(10) "tenant" means any person, not being an under-proprietor, who is liable to pay rent; and in the following portions of this Act, namely, sections 13, 14, 15, 17, 18, 29, 53, 54, 55, sub-sections (1) and (2), 56, 59, 60, 61, 62, 108, 126 and 138, but in no others, the expression "tenant" shall be held to include a thekadár or person to whom the collection of rents in a village or portion of a village has been leased by the landlord:

(11) "landlord" means any person to whom an under-proprietor or a tenant is liable to pay rent:

(12) "representative" means an heir or any other person taking by operation of law or by will a beneficial interest in the property of a deceased person, and includes the guardian of a minor and the legal curator of a lunatic or idiot:

(13) "prescribed" means prescribed from time to time by the Chief Commissioner by rules under this Act:

(14) "registered" means registered under any Act for the time being in force for the registration of documents:

(15) "signed" includes marked, when the person making the mark is unable to write his name: and

(16) "value", used with reference to a suit, means the amount or value of the subject-matter of the suit.

4. (1) Nothing in any contract made between a landlord and a tenant before or after the passing of this Act shall entitle a landlord to eject a tenant or enhance his rent otherwise than in accordance with the provisions of this Act.

(2) Nothing in any contract made between a landlord and a tenant after the passing of this Act shall take away or limit the right of a tenant, as provided by this Act, to make improvements and claim compensation for them.

(3) Where land not previously cultivated has been or is hereafter let by a landlord to a tenant, either after being reclaimed by or at the expense of the landlord or for the purpose of being reclaimed by the tenant, nothing in this section shall be construed to affect the conditions of any contract relating to that land until fourteen years have elapsed from the date on which the land was first brought under cultivation.

(4) Where land has remained uncultivated during a period of seven years, it shall for the purposes of the last foregoing sub-section be deemed to have not been previously cultivated.

(5) This section does not apply to tenants having a right of occupancy or to sub-tenants.

CHAPTER II.

OF CERTAIN RIGHTS AND LIABILITIES OF LANDLORDS, UNDER-PROPRIETORS AND TENANTS.

Right of Occupancy.

5. Tenants who have lost all proprietary right, whether superior or subordinate, in the lands which they hold or cultivate, shall, so long as they pay the rent payable for those lands according to the provisions of this Act, have a right of occupancy under the following rule:—

Every such tenant who, within thirty years next before the thirteenth day of February 1856, has been, either by himself, or by himself and some other person from whom he has inherited, in possession as proprietor in a village or estate shall be deemed to possess a heritable but not a transferable right of occupancy in the land which he cultivated or held in such village or estate on the twenty-fourth day of August 1866: provided that such land has not come into his occupation, or the occupation of the person from whom he has inherited, for the first time since the said thirteenth day of February 1856: provided also that no such tenant shall have a right of occupancy in any village or estate in which he or any co-sharer with him possesses any under-proprietary right.

Nothing contained in the former part of this section shall affect the terms of any agreement in writing entered into between a landlord and a tenant after the twenty-second day of July, 1866.

*The Oudh Rent Act, 1886.**(Chapter II.—Of certain Rights and Liabilities of Landlords, Under-proprietors and Tenants.—Sections 6-15.)*

6. Nothing in the last foregoing section shall be construed to restrict the power of a landlord to confer right of occupancy by registered document on any persons other than those mentioned in that section a right of occupancy in the lands which they hold or cultivate.

7. If a tenant having a right of occupancy is ejected, in accordance with the provisions of section 52, from the land in which he possesses the right, he shall thereupon lose his right of occupancy in that land.

Tenants' Right to Pattas.

8. Every tenant is entitled to receive from his landlord a patta or memorandum of the terms of the tenancy, signed by the landlord or his authorized agent, and containing the following particulars, namely:—

- (a) the quantity of land and, where the fields comprised in the patta have been numbered in a Government survey, the number of each field;
- (b) the term for which the tenancy is to run;
- (c) the amount of rent payable;
- (d) the instalments in which and the times at which that amount is to be paid;
- (e) any special conditions not inconsistent with the provisions of this Act; and
- (f) if the rent is payable in kind, the proportion of produce to be delivered, and the time, manner and place of delivery.

9. Tenants having a right of occupancy are entitled to receive pattas at rates of rent determined in accordance with the provisions of Chapter IV, Part A, of this Act.

10. Tenants not having a right of occupancy are entitled to pattas for the terms and at the rates prescribed in Chapter IV, Part B, of this Act.

Landlords' Right to Counterparts.

11. Every landlord who grants a patta is entitled to receive from the tenant a counterpart signed by or on behalf of the tenant.

Arrears of Revenue or Rent.

12. Any instalment of revenue or rent which is not paid on or before the day when it becomes due, whether under a written agreement or according to law or local usage, shall be deemed to be, for the purposes of this Act, an arrear of revenue or rent, as the case may be:

Provided that, unless the proprietor and under-proprietor have otherwise agreed in writing, the rent payable to the former by the latter shall be held to become due one month before the date fixed for the payment of the revenue on account of the village in which the land in respect of which the rent is payable is situate, and to be payable in the same number of instalments as the revenue; and the amount of each instalment of the rent shall bear the same proportion to the whole of the rent

payable for the year as the amount of each instalment of the revenue bears to the whole of the revenue payable for the year.

Receipts:

13. (1) Every receipt for rent shall specify the year or years on account of which the rent has been paid; and any refusal to make that specification shall be held to be a withholding of a receipt.

(2) If a receipt for rent paid by an under-proprietor or tenant is withheld from him without sufficient cause, he may recover compensation from the landlord up to an amount not exceeding that of the rent paid.

Deposit of Revenue or Rent in Court without Suit.

14. (1) If a co-sharer, under-proprietor or tenant from whom any revenue or rent is due in respect of the land held or cultivated by him, tenders the full amount of that revenue or rent at the usual place of payment to the person authorized to receive it, and that person does not accept the amount and forthwith give a receipt in full therefor, the co-sharer, under-proprietor or tenant may, without any suit having been instituted against him, deposit the amount in Court to the credit of the person authorized to receive it.

(2) The deposit shall, so far as regards the co-sharer, under-proprietor or tenant, and all persons claiming through or under him, operate as a payment then made to the *ambardar* or landlord of the amount so deposited.

15. (1) The Court shall receive the deposit on the written application of the co-sharer, under-proprietor or tenant, or his recognized agent; and on the applicant making a declaration in the form set forth in Schedule A to this Act, or as near thereto as circumstances will admit, the Court shall give him a receipt for the deposit.

(2) The declaration shall be verified in the manner prescribed for the verification of plaints by section 52 of the Code of Civil Procedure, and shall be signed by the person making it.

(3) Upon receiving the deposit, the Court shall issue to the person to whose credit it has been paid a notice in the form set forth in Schedule B to this Act.

(4) The notice shall be served by the proper officer without the payment of any fee.

(5) If the person to whose credit the deposit has been paid, or his recognized agent, appears and applies for it, the Court shall cause it to be paid to him.

(6) The application under sub-section (5) may be on plain paper.

16. Where a deposit has been made under the provisions of the two last foregoing sections, a suit shall not be brought against the depositor or his representative on account of any revenue or rent which accrued due in respect of the land last hereinbefore mentioned prior to the date of the deposit, unless the suit is instituted within six months from the date of the service of the notice mentioned in section 15.

*The Oudh Rent Act, 1886.**(Chapter II.—Of certain Rights and Liabilities of Landlords, Under-proprietors and Tenants.—Sections 17-24.)**Illegal Enforcement of Payment of Rent.*

17. (1) If payment of rent or of any sum in excess of the rent legally claimable is illegally enforced, and any under-proprietor or tenant institutes a suit to recover compensation for the illegal enforcement of the payment, the Court may award to him compensation, not exceeding the sum of two hundred rupees, in addition to any amount for which it makes a decree in respect of the payment itself.

(2) An award of compensation under sub-section (1) shall not bar any prosecution to which the person illegally enforcing the payment may be liable under any law for the time being in force.

Abatement of Rent.

18. Save as provided by section 29, sub-section (4), a suit for an abatement of the rent of a holding shall not be brought by an under-proprietor or tenant except on the ground that the area of the holding has diminished, or on some ground specified in a lease, agreement or decree under which he holds:

Provided that, if the under-proprietor holds a sub-settlement in a revenue-paying estate, an abatement shall not be allowed to the under-proprietor unless a remission of revenue has been allowed on the same ground and by competent authority in the same estate.

Remission of Rent.

19. (1) Notwithstanding anything in the last foregoing section, a Court, when it makes a decree for an arrear of rent, may, with the previous sanction of the Deputy Commissioner, allow such remission from the rent payable by any under-proprietor or tenant as appears equitable, if the area of the land in his occupation has been materially diminished by diluvion or otherwise, or if the produce of that land has been diminished by drought, hail or other calamity beyond his control, to such an extent that the full amount of rent payable by him cannot, in the opinion of the Court, be paid.

(2) Where a remission of rent under this section causes a material diminution of the assets of the landlord in the village in which the remission is given, the revenue-authorities shall take into consideration any claim made by the landlord for a remission of revenue.

(3) A remission shall not be allowed under this section to an under-proprietor holding a sub-settlement, or to a tenant having a right of occupancy, unless a remission of revenue has been allowed on the same ground and by competent authority in the same village.

Relinquishment of Land.

20. (1) A tenant shall continue liable for the rent of the land in his holding unless on or before the fifteenth day of March in any year he gives to the landlord or to the recognized agent of the landlord notice in writing of his desire to relinquish that land, and relinquishes it accordingly.

(2) If the landlord or his recognized agent refuses to receive the notice or to sign and deliver

a receipt therefor, the tenant may, before the latest date prescribed for giving the notice, apply on plain paper to the tahsildar or proper officer, and written notice of the desire of the tenant to relinquish the land shall then be served on the landlord at the expense of the tenant.

(3) A tenant cannot without the consent of his landlord relinquish a part only of his holding.

(4) Nothing in this section shall entitle a tenant holding under a registered document under section 69 to relinquish his holding otherwise than in accordance with the terms of that document.

21. (1) If a tenant abandons his holding without informing his landlord and without arranging for the cultivation of the holding, the landlord may at any time after the fifteenth day of May enter on the holding.

(2) Before a landlord enters on a holding under sub-section (1), he shall file a notice in the prescribed form at the office of the tahsildar for service on the tenant stating that he has treated the holding as abandoned and is about to enter on it accordingly.

(3) When a landlord enters on a holding under sub-section (1), the tenant may institute a suit under this Act to recover possession of the holding, and the Court shall, on being satisfied that the tenant did not voluntarily abandon the holding, order recovery of possession on such terms with respect to the time of delivery of possession, the payment of arrears of rent, if any, and, if injury has been caused by the wrongful act, neglect or default of any party to the proceeding, with respect also to the payment of compensation by that party, as to the Court may seem just.

Compensation for Tenants' Improvements.

22. (1) If a tenant, or a person from whom he has inherited, has made any such improvement on his holding as is hereinafter in this Chapter mentioned, neither he nor his representative shall be ejected from the holding unless and until he or his representative, as the case may be, has received compensation for the improvement:

Provided that compensation shall not be payable for any improvement made thirty years or more before the date on which the ejection is to take effect.

(2) An improvement made by a tenant for the benefit of his holding on land belonging to the person who is entitled to receive the rent of the holding shall for the purposes of this section be deemed to have been made on the holding of the tenant.

23. Except as provided in the next following section, a tenant shall not be entitled to claim compensation for an improvement made subsequently to the passing of this Act without the written consent of the landlord.

24. (1) If a tenant applies for the written consent of his landlord to the making of an improvement on his holding, and the landlord omits or refuses to grant it, the tenant may apply to the Deputy Commissioner for permission to make the improvement.

*The Oudh Rent Act, 1886.**(Chapter II.—Of certain Rights and Liabilities of Landlords, Under-proprietors and Tenants.—Sections 25-30.)**(Chapter III.—Payment of Rent in kind.—Sections 31-32.)*

(2) When an application is made to the Deputy Commissioner under sub-section (1), he shall take into consideration any objections which the landlord may have to urge on either of the following grounds, namely:—

- (a) that the improvement is too costly or is unsuitable to the nature of the tenant's holding, or
- (b) that the landlord is himself prepared to make the improvement,

and shall then either grant the permission on such conditions as he considers fair and equitable or refuse the application.

25. (1) If either the landlord or the tenant desires the amount expended on an improvement executed with the permission of the Deputy Commissioner under the last foregoing section to be determined and registered, the Deputy Commissioner shall, on application made to him for the purpose, determine the amount of the outlay, and enter it in a register kept in the prescribed form.

(2) The entry in the register shall be conclusive proof of the amount of the outlay in any subsequent proceedings respecting the cost of the improvement.

26. The word "improvement", as used in this Act, means a work by which the annual letting value of land has been, and at the time of a demand for compensation continues to be, increased, and comprises—

- (a) the construction of works for the storage of water, for the supply of water for agricultural purposes, for drainage and for protection against floods; the construction of wells; the reclamation of waste land and jungle; and other works of a like nature;
- (b) the renewal or reconstruction of any of the foregoing works, or such alterations therein or additions thereto as are not required for the maintenance thereof and increase durably their value.

27. In estimating the compensation to which a tenant is entitled for an improvement regard shall be had—

- (a) to the amount by which the value, or the produce, of the holding, or the value of that produce, is increased by the improvement;
- (b) to the condition of the improvement and the probable duration of its effects;
- (c) to the labour and capital required for the making of such an improvement;
- (d) to any reduction or remission of rent or any other advantage given by the landlord to the tenant in consideration of the improvement; and
- (e) in the case of a reclamation, or of the conversion of unirrigated into irrigated land, to the length of time during which the tenant has had the benefit of the improvement.

28. When a Court has assessed the amount of the compensation due to a tenant, it may, if both landlord and tenant desire that the compensation assessed, instead of being paid wholly in money, shall be made wholly or partly in some other way, proceed to give judgment according to the terms agreed upon between them.

29. (1) A landlord may make an improvement on the holding of a tenant not having a right of occupancy with or without the consent of the tenant.

(2) A landlord intending to make an improvement shall, if any part thereof is to be made on the holding of any such tenant, give notice of his intention to the tenant through the tahsildar.

(3) A landlord making an improvement on the holding of any such tenant shall be liable to compensate the tenant for any loss which he may cause to the tenant when making it.

(4) If the effect of the improvement is to impair the productive powers of the holding, the tenant shall, in addition to any compensation which may be awarded to him under sub-section (3), be entitled to such abatement of his rent as to the Court seems just.

(5) A landlord may not make an improvement on the holding of a tenant with a right of occupancy without the consent of the tenant.

Survey and Measurement.

30. A landlord and his agents and surveyors may at all reasonable times enter upon any land comprised in his estate for the purpose of surveying and measuring the land.

CHAPTER III.

PAYMENT OF RENT IN KIND.

31. Where rent is taken by division of the produce in kind, or by estimate or appraisement of the standing crop, or other proceeding of a similar nature requiring the presence of both the tenant and the landlord either personally or by recognized agent, if either party neglects to be present at the proper time, or if a dispute arises between the parties regarding the division, estimate, appraisement or proceeding, either party may present an application to the Court, requesting that a proper officer be deputed to make the division, estimate or appraisement or conduct the proceeding.

32. (1) On receiving the application, the Court shall issue a written notice to the other party to attend at a time and place specified in the notice, and shall depute an officer before whom the division, estimate or appraisement shall be made or the proceeding conducted.

(2) The award of that officer in respect of the division, estimate, appraisement or proceeding shall be final, unless, within one month from the date thereof, either party institutes a suit to set it aside.

*The Oudh Rent Act, 1886.**Chapter IV.—Enhancement and fixing Rates of Rent.—Sections 33-41.)*

CHAPTER IV.

ENHANCEMENT AND FIXING RATES OF RENT.

Part A.—Tenants with Right of Occupancy.

33. (1) A tenant having a right of occupancy in any land shall not, in case of dispute as to the rent to be paid in respect of the land, be liable to an enhancement of the rent except in pursuance of a decree made under this Act on some one of the following grounds, namely:—

1st ground.—That the rate of rent paid by him is below the rate of rent usually paid, by the same class of tenants having a right of occupancy, for land of a similar description and with similar advantages, situate in the same village.

Rule.—In this case the Court shall enhance his rent to such amount as the plaintiff demands, not exceeding that rate.

2nd ground.—That the rate of rent paid by him is more than twelve-and-a-half per cent. below the rate of rent usually paid, by tenants of the same class not having a right of occupancy, for land of a similar description and with similar advantages, situate in the same village.

Rule.—In this case the Court shall enhance his rent to such amount as the plaintiff demands, not exceeding that rate, less twelve-and-a-half per cent.

3rd ground.—That the quantity of land held by him exceeds the quantity for which he has previously paid rent.

Rule.—In this case the Court shall decree rent for the land in excess, at rates to be fixed by the first or the second of the rules contained in this section, as the case may be.

(2) Nothing in sub-section (1) shall affect the terms of any agreement in writing entered into between a landlord and tenant after the twenty-second day of July, 1868.

34. After a decision has been passed in accordance with the last foregoing section, a suit shall not lie for re-enhancement of the rent until the expiration of five years from the date of the decision, except on the 3rd ground mentioned in that section, or, in the case referred to in the next following section, until, by re-assessment within the term of five years, the revenue of the land has been increased.

35. If, on a re-assessment of the revenue, the rent of the tenant cannot be enhanced under section 33 by reason of the absence of the grounds therein mentioned, the landlord may institute a suit to enhance the rent to a sum not exceeding double the average amount of the revenue imposed at the re-assessment upon land of a similar description and with similar advantages held by tenants of the same class in the same village.

Part B.—Other Tenants.

36. Every tenant, not being a tenant with a right of occupancy or a sub-tenant, shall be entitled to retain possession of the holding occupied by him at the time of the passing of this Act, at the rent then payable by him, for a period of seven years from the date of the last change in his rent or of

the last alteration in the area of the holding, or, where no such change or alteration has taken place, from the date on which the tenant was admitted to the occupation of the holding.

37. Every such tenant who may be admitted to the occupation of a holding after the passing of this Act shall be entitled to retain the same for a period of seven years from the date of his admission at a rent agreed upon with the landlord in accordance with the provisions of this Act; and every such tenant, in the area of whose holding or in the amount of whose rent any change is made by the landlord subsequently to the passing of this Act, shall be deemed to be admitted to the occupation of a holding within the meaning of this section.

Explanation I.—“Holding” means a parcel or parcels of land held by a tenant and forming the subject of a separate engagement. The engagement may be express or implied.

Explanation II.—This section and section 38 have effect subject to the provisions of section 4, sub-sections (3) and (4), relating to land not previously cultivated, and subject also to section 157, excluding certain classes of land from the operation of certain sections of this Act.

38. (1) A landlord may enhance the rent of a tenant to whom section 36 or section 37 applies, either by contract in accordance with the provisions of this section or by notice as hereinafter provided.

(2) Subject to the provisions of sections 49 and 50, the enhancement shall not in any case exceed one anna in the rupee, or six-and-a-quarter per cent., on the annual rent payable by the tenant at the time when the contract was made or the notice was issued:

(3) Provided that, where rent is paid in kind, the proportion of produce paid as rent by a tenant shall not be subject to increase except in accordance with an established custom of the pargana in which the land is situate.

39. If a landlord desires that the rent of a tenant to whom section 36 or section 37 applies be enhanced on the expiration of the term of seven years referred to in section 36 or section 37, as the case may be, or at any time during the currency of that term in the case mentioned in section 50, he may cause a notice to that effect to be served under section 42.

40. (1) A notice whereby enhancement is claimed on account of the expiration of the period of the tenancy shall not be served before the commencement of the last year of the tenancy.

(2) A notice of enhancement on account of an improvement made or acquired by the landlord may be served at any time during the currency of the tenancy.

41. The notice shall be written in Hindi and Urdu, and shall specify the land, the amount of the present rent and the amount of the enhancement, and require the tenant, if he refuses to pay the enhancement, to vacate the land by the fifteenth day of May next following, or to institute a suit

*The Oudh Rent Act, 1886.**(Chapter IV.—Enhancement and fixing Rates of Rent.—Sections 42-51)*

in the proper Court to contest the notice of enhancement within thirty days from the date of the service thereof.

42. On the application of the landlord to the tahsildar or other prescribed officer the notice shall be served by the officer on or before the fifteenth day of February at the expense of the landlord.

43. The tenant may institute a suit to contest the notice of enhancement, within thirty days from the date of the service thereof, on any of the following grounds, namely:—

- (a) that he has a right of occupancy in the land specified in the notice;
- (b) that he holds under a special agreement or decree of Court or lease under the terms of which his rent is not liable to enhancement;
- (c) that the enhancement claimed is in excess of the rate authorized by law;
- (d) that seven years will not have elapsed on the fifteenth day of May next following, since the date of any such change of rent or alteration of area as is under section 36 or section 37 equivalent to an admission to the occupation of a holding, or, where no such change or alteration has taken place, since the date on which he was admitted to the occupation of the holding;
- (e) that the notice has not been served in the manner required by this Act;
- (f) that, where the enhancement claimed is on account of an improvement, the amount claimed is excessive.

44. (1) If the tenant does not contest the notice of enhancement and remains in possession of the land after the fifteenth day of May next following the date of the service of the notice, he shall become liable for the enhanced rent.

(2) If the tenant contests the notice, and the validity thereof is maintained by the Court in whole or in part, he shall, if he remains in possession of the land after the fifteenth day of May next following the date of the service of the notice, become liable for the enhanced rent to the extent to which the Court has maintained the validity of the notice.

45. If the tenant by remaining in possession of the land under the last foregoing section becomes liable for enhanced rent, he shall be entitled to hold the land at that rent for a further period of seven years.

46. If the tenant refuses to accept the enhancement claimed or decreed and vacates the holding, he shall be entitled to recover by separate suit from the landlord compensation for any improvements made by him on the holding.

47. (1) Except in the cases mentioned in sections 49 and 50, the rent of a tenant admitted to the occupation of any land the tenancy of which has determined according to the provisions of this Act shall not exceed by more than one anna in the rupee, or six-and-

a-quarter per cent., the rent payable by the tenant immediately preceding him.

(2) In the case of a tenant admitted to the occupation of a holding of which the rent has been immediately before his admission paid in kind, the rent payable shall, subject to any established custom of the pargana in which the holding is situate, be either the rent payable by the tenant immediately preceding him, or a sum which, subject to the provisions of sections 49 and 50, shall not exceed by more than six-and-a-quarter per cent. the equivalent of the value of the produce annually paid as rent on the average of the three years immediately preceding.

48. (1) The heir of a tenant who dies during the currency of the tenancy of a holding shall be entitled to retain occupation of the holding at the rent payable by the deceased for the unexpired portion of the period for which the deceased tenant might have held without liability to enhancement or ejectment, and to receive compensation under the provisions of this Act for improvements, if any, made on the holding by himself or his predecessor in interest, but shall not be entitled to a renewal of the tenancy.

(2) Subject to any rights which he may have under section 22 as a representative of the deceased, a collateral relative who did not at the date of the death of the deceased share in the cultivation of the holding shall not be deemed to be an heir of the deceased within the meaning of this section.

49. The rent of a tenant admitted to the occupation of any land the tenancy of which has ceased in consequence of the death of a previous tenant, or of the ejectment of a thekadar or mortgagee from land of which he has taken cultivating possession during the period of his theka or mortgage, shall be such amount as may be agreed upon between him and the landlord.

50. (1) Nothing in the foregoing sections shall bar the right of a landlord to enhancement of rent on the ground that the productive powers of the land held by the tenant have been increased by an improvement which has been made by, or at the expense of, the landlord, or for which during the currency of the tenancy compensation has been accepted from the landlord by the owner of the improvement or, on the expiration of the tenancy, compensation has been paid in accordance with the determination of a Court under this Act.

(2) Where an enhancement is claimed on the ground of any such improvement, the Court, in determining the claim, shall have regard to—

- (a) the increase in the productive powers of the land caused, or likely to be caused, by the improvement;
- (b) the cost of the improvement; and
- (c) the cost of the cultivation required for the utilising of the improvement.

51. Notwithstanding anything in the foregoing sections, the Chief Commissioner may, by notification in the local official Gazette, vary from time to time, within periods of not less than seven years, the limits of the enhancement to which tenants to whom section 36 or section 37 applies are liable in any local area specified in the notification.

*The Oudh Rent Act, 1886.**(Chapter V.—Ejectment.—Sections 52-60.)*

CHAPTER V.

EJECTMENT.

Tenants holding on special terms.

52. (1) A tenant having a right of occupancy in any land, or holding any land under a special agreement or decree of Court, shall not be ejected from that land otherwise than in execution of a decree for ejectment:

Provided that the decree for ejectment shall not be made, unless, at the date of that decree, a decree against the tenant for an arrear of rent in respect of the land has remained unsatisfied for fifteen days or upwards.

(2) A decree for the ejectment of a tenant holding under a special agreement or decree of Court may be made on such grounds as would justify ejectment under the agreement or decree.

Other Tenants.

53. A tenant not having a right of occupancy, and not holding under a special agreement or decree of Court, may be ejected by notice, application or suit under the following sections of this Chapter.

54. If a landlord desires to eject any such tenant on the expiration of his tenancy, he may cause a notice of ejectment to be served on the tenant under the next following section.

55. (1) The notice shall be written in Hindi and in Urdu; it shall be signed by the landlord or by an agent authorized by him in that behalf; it shall specify the land from which the tenant is to be ejected; it shall, if a court-fee is payable in respect thereof under this section, contain a certificate by the patwari as to the annual rent payable for the holding to which the notice relates; and it shall inform the tenant that he must either (a), if he means to dispute the ejectment, institute a suit for that purpose within thirty days from the date of the service of the notice, or (b) vacate the land on or before the fifteenth day of May next following.

(2) On the application of the landlord to the tahsildar or other prescribed officer, the notice shall, if the proper court-fee (where a court-fee is payable under this section) has been paid in respect thereof, be served on the tenant by the officer on or before the fifteenth day of November at the expense of the landlord.

(3) If the tenant on whom the notice is to be served is a tenant to whom section 36 or section 37 applies, there shall, except as provided by this sub-section and sub-section (4) and by section 69, be payable in respect of the notice a court-fee equal in value to half the annual rent payable for the holding of the tenant, or, in the case of a tenant paying rent in kind, a court-fee equal to half the value of the produce annually paid as rent on the average of the three years immediately preceding:

Provided that the court-fee shall not in any case exceed twenty-five rupees.

(4) A court-fee shall not be payable under sub-section (3) in respect of a notice on a person to whom section 48 applies.

(5) Stamps representing the court-fee shall be affixed on the notice before the notice and the application for the service thereof are presented to the tahsildar or other prescribed officer.

(6) The court-fee paid by a landlord under this section shall not in any circumstances be adjudged to be payable as costs or otherwise by the tenant.

56. (1) A tenant on whom a notice has been served under the last foregoing section may institute a suit to contest his liability to be ejected from the land specified therein on any of the following grounds, namely:—

- that he has a right of occupancy in the land;
- that he holds under a special agreement or decree of Court or unexpired lease under the terms of which he is not liable to be ejected from the land;
- if he is a tenant to whom section 55, sub-section (3), applies, that the notice was insufficiently stamped;
- if he is a tenant to whom section 36 or section 37 applies, that seven years will not have elapsed on the fifteenth day of May next following, since the date of any such change of rent or alteration of area as is under section 36 or section 37, as the case may be, equivalent to an admission to the occupation of a holding, or, where no such change or alteration has taken place, since the date on which he was admitted to the occupation of the holding;
- if he is a tenant to whom section 53 applies, that notice of ejectment has not been served upon him in the manner required by this Act.

(2) A thekadār shall not be entitled to contest a notice of ejectment on any ground other than that he holds a lease under the terms of which he is not liable to ejectment.

57. If the tenant has any claim for compensation for improvements on the holding, he shall file with his plaint a statement of the claim and of the grounds on which it is based.

58. If the Court dismisses the suit in whole or in part, it shall determine the amount of the compensation, if any, due for improvements, and shall declare ejectment from the whole or part of the land, as the case may be, to be conditional on payment of that amount into Court.

59. If the tenant on whom notice of ejectment has been served fails, within thirty days from the date of the service, to institute a suit to contest his liability to be ejected, his tenancy of the land in respect of which the notice has been served shall cease on the fifteenth day of May next following, unless, after the service, the landlord has authorized him in writing to continue to occupy the land.

60. (1) If the landlord requires assistance to eject a tenant on whom he alleges a notice to have been served under section 55, he may apply for that assistance.

*The Oudh Rent Act, 1886.**(Chapter V.—Ejectment.—Sections 61-66.—Chapter VI.—Supplemental Provisions respecting Tenancies.—Sections 67-69.)*

ance to the Court which would have had jurisdiction with respect to a suit by the tenant to contest his liability to be ejected under the notice, and that Court shall order the ejectment of the tenant if it is satisfied—

(a) that a notice of ejectment was duly served on the tenant;

(b) that the tenant has not brought a suit to contest the notice, or that, if a suit for that purpose has been brought, it has been determined adversely to the tenant;

(c) that the tenant has not been authorised by the landlord in writing to continue to occupy the land.

(2) Nothing done by the Court under subsection (1) shall affect the right of the tenant to institute a suit against his landlord on account of illegal ejectment and to recover compensation therefor.

61. (1) If a landlord desires to eject a tenant to whom section 53 applies and against whom a decree for an arrear of rent has been passed and remains unsatisfied, he may, after the first day of April of the year in which that arrear accrued, apply to the Deputy Commissioner to eject the tenant.

(2) The Deputy Commissioner shall, on receiving the application, cause a notice to be served on the tenant, stating the amount due under the decree, and informing him that if he does not pay that amount into Court within fifteen days from the receipt of the notice he will be ejected from his holding.

(3) If the amount is not so paid, the Deputy Commissioner shall, unless good cause is shown to the contrary, eject the tenant.

62. (1) A tenant to whom section 53 applies shall be liable to ejectment by suit during the currency of his tenancy on any of the following grounds, namely:—

(a) that he has used the land comprised in his holding in a manner which renders it unfit for the purposes of his tenancy;

(b) that at the time of the institution of the suit the entire holding has been sub-let;

(c) where the rent is payable in kind, that his cultivation has diminished to a point which by the custom of the locality involves the forfeiture of the holding;

(d) where the tenant holds, under an unexpired lease, land to which section 4, sub-sections (3) and (4), applies, then on any ground which would justify ejectment under the lease.

(2) The tenant shall continue liable for the rent of the land until the decree is executed.

General.

63. Except in pursuance of an order under section 21, sub-section (3), a tenant shall not in any case, whether in execution of a decree or otherwise, be ejected from the land in his occupation, except between the first day of April and the thirtieth day of June in any year after the passing of this Act.

64. A thekadár liable to be ejected under the provisions of this Act may be ejected at any time during his tenancy.

Time of ejectment of thekadár.

65. In any suit for ejectment, the defendant may file any claim for compensation for improvements which he may have against the plaintiff, and, if the Court finds the grounds on which the suit is brought to be valid, it shall determine the amount of compensation, if any, due from the plaintiff to the defendant, and shall pass a decree of ejectment conditional on the payment into Court of that amount.

Preferment by tenants of claims for compensation for improvements in suits for ejectment.

66. A tenant ejected in accordance with the provisions of this Act shall be entitled to receive from the landlord the value of any growing crops or other ungathered products of the earth belonging to the tenant and being on the land at the time of his ejectment:

Compensation to ejected tenant for growing crops.

Provided that, if the land has been sown or planted by the tenant after service on him of a notice under section 55, he shall not be so entitled, unless, after that service, the landlord has authorized him in writing to continue to occupy the land.

CHAPTER VI.**SUPPLEMENTAL PROVISIONS RESPECTING TENANCIES.***Sir Lands.*

67. (1) The rights conferred upon tenants by sections 24, 36, 37, 38, 39, 45, 46, 47 and 48 shall not accrue to cultivators of any of the following lands, namely:—

(a) land which for the seven years immediately preceding the passing of this Act has been continuously dealt with as sir in the distribution of proprietary or under-proprietary profits and charges;

(b) land which for the seven years immediately preceding the passing of this Act has been continuously cultivated by the proprietor or under-proprietor himself or by his servants or by hired labour.

(2) Land which was recorded as sir at settlement and has been continuously so recorded since shall, until the contrary is proved, be presumed to be land of the class mentioned in clause (a) of section (1).

Thekadárs, Mortgagees and Sub-tenants.

68. (1) A person holding land as a thekadár, thekadár, mortgagee or sub-tenant shall not, while so holding, acquire any of the rights enumerated in the last foregoing section in any of the land comprised in his theka, mortgage or sub-tenancy.

(2) A person having those rights in land does not lose them by subsequently taking a theka or mortgage in which his holding is comprised.

Long Leases.

69. (1) When a holding has been let by registered document for a term of eight years or upwards at a rent determined thereby for the whole of the term in accordance with the

Incidents of leases for eight years or upwards.